

From: [Theresa Wistrom](#)
To: [PlanningAgency](#)
Subject: Protection of Oak Woodlands
Date: Thursday, October 5, 2023 10:13:50 AM

EXTERNAL

To: Sonoma County Planning Agency

From: Theresa Wistrom
Sonoma County Resident

The loss of more oak woodlands in this county needs to be considered in relation to the loss of watershed retention, climate change mitigation and micro-climate effects, wildlife habitat, and the cumulative effects added to what has been previously lost.

We will continue to lose oak woodlands to developments as long as the cost of doing business includes externalizing the cost of environmental impacts to the public.

Our lives depend on the balance of nature. Oak woodlands are most valuable in their support and production of protein, for insects, for birds, and up the food chain for ourselves. They have adapted to our environment over many many years, something which will be very difficult if not impossible for us to replace. In today's world where climate change needs to be addressed for our own livelihood and for the livelihood of our children and grandchildren, we need to do the right thing. Every little bit helps, and preserving the remaining oak woodlands that we have is not just a "little thing."

Sonoma County residents have entrusted you with the power to protect our lives.

Thank you.

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October 5, 2023
Sonoma County Planning Commission
Permit Sonoma

Dear County Planning Commissioners and Permit Sonoma Staff,

As a biologist, I am most concerned about the loss of biodiversity, wildlife habitat, movement corridors for wildlife and carbon sequestration. Oak woodlands in Sonoma County are very fragmented, and this tree ordinance must be strong enough to curtail this process. Mature oak woodlands are irreplaceable and no amount of small, replacement trees can take the place of them. Because oaks are slow growing, every effort must be taken to preserve mature oak communities with the commitment that the best approach to preserve biodiversity is not to cut down trees in the first place.

Here are some specific concerns with the Oak Woodlands Ordinance as proposed:

1. Mitigation and Fee Structure: Fees are too low. The mitigation fees should reflect the actual value of the tree. A mature oak tree is worth thousands of dollars, and fees must be high enough that the tree owner or developer would be motivated to preserve the trees. Fees should be a deterrent and not the cost of business.
2. Exemption for affordable housing. This exemption must be removed. All housing must go through a permit process to assure that valuable woodlands are preserved. Poor neighborhoods need trees too, and affordable housing, as is the case for all housing projects, must be regulated to maintain biotic diversity in Sonoma County. There are many areas where houses can be built that do not require the removal of oak woodlands.
3. Uses without a Permit: Agricultural maintenance is allowed without a permit if these uses do not extend into oak woodlands. What is meant by “agricultural maintenance” is not specified well enough. The term is too vague and could allow excessive tree removal as maintenance.
4. A one-time Conversion of up to 1.0 Acres of Oak Woodlands. One acre seems excessive and such tree removal will continue the habitat fragmentation of the few woodlands that remain. Please remove and add that all tree removal other than those specified in the exemption are not allowed.
5. 2013 VegMap. Protection of trees under the Oak Woodland Ordinance depends on a ten-year-old map, and there are no provisions for updating the map as conditions change. Restricting oak woodlands to this map omits areas that hosted woodlands in prior years and could again. Also, there are no provisions for a changing environment.

6. Ecological Categories. Superior oak, Class I, habitats are areas of high biotic diversity that must never be removed, because so many have been lost. Class II and III habitats are much more frequent than Class I. The potential of recovery of these habitats, therefore, is very important. However, there are no provisions in the ordinance about how recovery of degraded habitats will be accomplished. Class I and II habitats might improve if given more protection and procedures are specified.
7. Trees Under Utility Lines. Although outside the scope of the oak ordinance, consider a process for handling tree trimming and removals under power lines when contractors go beyond requirements. Work crews do not have knowledge about care of California's native oaks and their work does not conform with vegetation management regulations and trees become damaged and die.

Thank you for consideration of these concerns and for protecting our trees. I am grateful that Sonoma County planners have developed tree ordinances.

Sincerely,

Jan Randall

From: Kimberly Burr <kimlarry2@comcast.net>

Sent: Thursday, October 05, 2023 11:03 AM

To: Doug Bush <Doug.Bush@sonoma-county.org>; Robert Aguero <Robert.Aguero@sonoma-county.org>; Cecily Condon <Cecily.Condon@sonoma-county.org>

Subject: Oak Ordinance comments for 10/5/23

I am sorry to submit these thoughts so late.

I am hoping it is better to have them a few minutes early rather than right at the hearing....

Three Minor suggested changes....

1. Section 26-67-090. "The removal of valley oak trees with a single stem over 36" DBH shall require a use permit, per the Tree Protection Ordinance (26-88-10M(e)). BUT in section 26-67-050 we say. *No ministerial Oak Woodland conversion shall include the cutting or removal of any native oaks greater than 36" DBH unless a registered professional forester or arborist certifies in writing that the tree poses a serious danger to persons or property.* (Section 26-67-050.). **For consistency, we should apply the 36 inch protection in 050 across the board. In 050 and in 090.**

I would further explain that the combined trunks from a single tree at breast height is a better metric for oak trees that tend to have more than one trunk emanating from the main trunk.

2. . Section 26-67-060. Subsection 6

Any mitigation replants must run with the land. For example one mitigation requires a 25 year maintenance and the ordinance allows preparation of a conservation plan as acceptable. These must therefore run with the land... ..Add a blanket statement to say that all mitigations and replant activities must run with the land.

3. Also under subsection 6.

"Payment of replacement in-lieu fees may be permitted by the County if replacement or mitigation is *infeasible* as determined by the County for physical, ecological, legal, or **economic** reasons." Emphasis added.

The word **economic** should be removed or clarified...

The plan submitted by developers may initially propose maximum build out and investment potential. Such proposals are just that -proposals. Building must fit into the County's plan to build in a responsible and orderly manner while providing some economic benefit to developer.

By removing the term "economic feasibility", the staff can make a much more concrete analysis based on the physical limitations of the site, ecological, or legal reasons. This will also protect against situations where developers proposals might be incompatible with county goals and values. And I believe much more modern and better proposals will be forthcoming.

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From: Kimberly Burr <kimlarry2@comcast.net>
Sent: Thursday, October 05, 2023 11:11 AM
To: Cecily Condon <Cecily.Condon@sonoma-county.org>
Subject: Fwd: Old Oak tree



See my orange coffee cup? Thx Cecily.

Begin forwarded message:

From: Kimberly Burr <kimlarry2@comcast.net>
Subject: Old Oak tree
Date: October 5, 2023 at 10:56:53 AM PDT
To: "Kimberly Burr, Esq." <kimlarry2@comcast.net>

Example of a common multi-stem old oak.



Sent from my iPhone

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