

September 1, 2017

Goleta City Council 130 Cremona Drive, Suite B Goleta, CA 93117

Mayor Perotte and City Council Members,

The Gaviota Coast Conservancy (GCC) is dedicated to preserving the Gaviota Coast and the habitats and species that make it so unique. The eucalyptus groves in the Sperling Preserve and broader Ellwood Mesa are critically important to the health of the Monarch population that overwinters in California. We are concerned that the approach City staff is recommending will have devastating and possibly permanent impacts on this critical Monarch habitat.

Option 1, which calls for the removal of over 900 trees in and around the Monarch aggregation sites will directly impact Monarchs as well as raptors that are present while the 2-year tree removal project is ongoing, and will indirectly impact Monarchs and raptors through extensive modification of the sensitive habitat. To proceed without prior environmental review to evaluate and mitigate these impacts is environmentally reckless and risks serious harm to the sensitive wildlife that depends on the Ellwood eucalyptus groves.

While we question whether a true "emergency" exists at all, GCC does value public access and recognizes that the trail closures have cut off access to Ellwood Mesa (and the beach) for some residents. Unfortunately the staff report includes no option that focuses on removing only those trees necessary to restore public access where it is needed most. The alternative option developed by Friends of the Ellwood Monarchs (FOTEM) "Option 6" fills this gap.

GCC supports FOTEM's Option 6 as a reasonable and measured approach that balances the need to restore public access in key locations currently lacking access, with the need to ensure that any large scale tree removal will receive environmental review. FOTEM's Option 6 also includes important protections for the Monarchs including the need for simultaneous mitigation and restoration for any tree removal, and development of a comprehensive restoration plan before any large scale tree removal occurs.

GCC strongly urges the Council to give staff direction to further evaluate and refine the FOTEM Option 6 as needed, and return to Council on the 7th with an Option 6 for the Council to vote on.

Sincerely,

Philip J. McKenna, GCC Land Use Committee

Board Members: Michael S. Brown, President / Steve Forsell, V.P. & Outreach Chair / Richard Hunt, CPA, Treasurer /
Greg Karpain, Secretary / Ed Easton, Land Use Chair / Nancy Black / Doug Buckmaster / Ed Easton / Karen Feeney /
Virginia Gardiner / Bob Hazard / Jim Laponis / Mike Lunsford / Phil McKenna / Lee Moldaver / Donna Senauer / Peter Sperling / Guner Tautrim
P.O. Box 1099, Goleta, CA 93116

805-683-6631 gavcoast@silcom.com www.gaviotacoastconservancy.org From: Mona Damluji [damluji@ucsb.edu] Sent: Friday, September 01, 2017 5:59 PM

To: Paula Perotte; Roger Aceves; Michael Bennett, Stuart Kasdin; Kyle Richards; Michelle Greene

Subject: Ellwood Mesa Tree Removal - Please Adopt Option 6!

Dear Representatives,

As a resident of Goleta who lives just a ten minute walk from the Ellwood Mesa, I'm writing to implore you to adopt the "Option 6" approach of The Friends of the Ellwood Monarchs.

We want Goleta to:

- create and implement a short-term plan that provides for public trails to areas currently lacking a safe route to Ellwood Mesa and the ocean, while attending only to the trees that pose a real and imminent threat to public safety along these trails. This includes providing adequate signage and maps for the public.
- delay any large-scale removal of trees until a restoration plan is prepared, reviewed by the public and approved.
- expedite the development and approval of a Monarch Habitat Management Plan for Ellwood Mesa. This should include a timeline for phasing any tree removal restoration, and for reopening the remaining public trails, while respecting habitat management strategies and requirements.

Thank you for considering the best option for the residents of Goleta, our local environment and our visitors.

Best, Mona

Mona Damluji, PhD Assistant Professor Department of Film & Media Studies University of California, Santa Barbara damluji@filmandmedia.ucsb.edu

From: karenpowellrd@aol.com [karenpowellrd@aol.com]
Sent: Friday, September 01, 2017 8:50 PM
To: Stuart Kasdin
Subject: SPECIAL HEARING ON ELLWOOD MESA EUCALYPTUS GROVE

I support Friends of the Ellwood Monarchs and Option 6.

Sent from AOL Mobile Mail

LAW OFFICE OF MARC CHYTILO, APC

Environmental Law

September 2, 2017

Mayor Paula Perotte and City Council City of Goleta 130 Cremona Dr. #B Goleta, CA 93117 By email to dlopez@cityofgoleta.org

RE: Agenda Item D.1; Emergency Conditions on Ellwood Mesa

Dear Mayor Perotte and Councilmembers:

This office represents the Friends of the Ellwood Monarchs (FOTEM), a community group formed recently in response to the completed and proposed tree removal activities on the Ellwood Mesa within environmentally sensitive Monarch habitat. The Ellwood Complex - six Monarch aggregation sites within the Ellwood eucalyptus forest - is recognized as the "premier over-wintering site in southern California" for Monarch butterflies¹, and is Environmentally Sensitive Habitat protected by the City's General Plan and the Coastal Act. California Monarch populations are in a state of steep and alarming decline, with counts at Ellwood last season at historic lows.² Monarchs are under consideration for listing as a threatened or endangered species under the Endangered Species Act.³ Monarchs require specific micro-climatic conditions and are very sensitive to habitat changes at the overwintering sites including tree and vegetation removal⁴. Accordingly, it is alarming that City Staff has recommended removing over 900 eucalyptus trees in environmentally sensitive Monarch (and raptor) habitat without prior environmental review, and without a restoration plan in place to ensure the Ellwood Complex retains the microclimate needed to serve as aggregation sites for the Monarchs that overwinter in Goleta.

¹ Goleta General Plan Conservation Element Policy CE 4.2

² http://www.mercurynews.com/2016/07/08/monarch-butterfly-population-drops-74-percent-in-california/; City of Goleta PowerPoint presentation, 7/26/17, available at http://www.cityofgoleta.org/home/showdocument?id=15221

³ See https://www.fws.gov/savethemonarch/SSA.html.

⁴ The Monarch Project's Conservation and Management Guidelines for Preserving the Monarch Butterfly Migration and Monarch Overwintering Habitat in California (1993), available at: https://www.westernmonarchcount.org/wp-content/uploads/2014/10/monarch_management_guidelines_1993.pdf; see also Microclimate parameters associated with overwintering monarch butterfly habitats in two State Parks on the central coast of California, 2007, Ventana Wildlife Society, available at http://www.ventanaws.org/pdf/about_research/Microclimate%20Report%202007.pdf

None of the options presented in the Staff Report are good options. Options 1 and 4, which call for immediate large-scale removal of trees with no prior environmental review and no restoration plan in place, are contrary to the California Environmental Quality Act (CEQA), the Coastal Act, and would jeopardize the continued existence of the Ellwood Complex as an overwintering site for Monarchs. Option 2, calling for selective care to try and save 26 trees, is an incomplete "add-on" item, not a stand-alone option.

Option 3 would include immediate large-scale tree removal in one area only, followed by environmental review and later unspecified phased tree removal. It is unclear why the area for immediate clearing was selected, as public beach access already exists in the immediate area along an open trail leading from the Sperling Preserve parking lot, along the eastern edge of the Bluffs development, and out onto the open Mesa and to the beach. (See Trail Closures Map, Staff Report p. 105.) Moreover, Option 3 proposes removing all the trees rated "0" or "1" from this broad area of environmentally sensitive habitat in a manner contrary to City and Coastal Act policy (note the below discussion focuses on Options 1 and 4, but Option 3 is deficient in many of the same respects because it includes removal of all "0" and "1" rated trees within a broad swath of sensitive habitat, rather than targeting trees that actually constitute a fall risk and that pose imminent jeopardy to public safety).

Finally, Option 5 would delay the reopening of public trails for 3-5 years, which results in some residential areas having no direct access to Ellwood Mesa and the beach for an extended period of time. This approach, while environmentally conservative, generates potential conflicts with Coastal Act public access policies, and is unnecessary given the ability to open a select few public trails in order to restore adequate access and circulation through Ellwood Mesa and out to the beach while minimizing impacts to the Ellwood eucalyptus forest and the sensitive wildlife whose survival depends on it.

What is missing from the Staff Report is an option that carefully balances the need for safe public access with the mandatory requirements to protect the Ellwood Complex for Monarch and raptor habitat. Accordingly, FOTEM has developed a 6th option ("Option 6"), which includes the following components:

Option 6

Prioritize and restore selected public access trails:

- 1. Identify the area(s) that are currently lacking public access to Ellwood Mesa due to the trail closures, and determine which trails in those area(s) require the least amount of Monarch habitat disruption to be safely reopened for public access.
- 2. Assess which trees located along the public trail(s) identified for reopening actually constitute a "fall risk".

- 3. Identify the impacts to monarch habitat from the selected interim trail safety measures and develop mitigation measures to replace and /or compensate for these impacts.
- 4. Submit an Emergency Coastal Development Permit (CDP) application for selective removal of trees found to constitute a "fall risk" that present an imminent danger to public safety along the trail(s) identified for reopening, with targeted mitigation and restoration as a condition of the permit.

Preserve and restore monarch habitat:

- 5. Do not begin any large-scale removal of trees in or near the aggregation sites until a habitat restoration plan is prepared and approved.
- 6. Adopt an expedited timeframe for development and approval of the Monarch Habitat Management Plan for Ellwood Mesa that includes a timeline for phasing any tree removal and restoration of the aggregation sites, and a strategy for reopening the remaining public trails in coordination with habitat management strategies and requirements.

The rationale for advancing Option 6 over the other options is discussed further below, as well as the legal and environmental risks associated with proceeding with Options 1 or 4. Option 3 has many of the same environmental impacts as Options 1 or 4, but without any significant benefit in terms of restoring public access.

Fulfilling Goleta's obligations to protect Monarch habitat identified in the City's General Plan, the Ellwood-Devereux Coast Open Space and Habitat Management Plan (OSHMP)⁵, Environmental Impact Report (EIR) for Ellwood Mesa/Comstock Homes, and the Coastal Act, require that alteration of Monarch habitat be thoroughly studied, carefully planned, timed, and executed with the utmost care and under supervision of qualified Monarch biologist(s) to ensure that Monarch habitat is not compromised or destroyed. Safe public access can be restored with limited and targeted tree trimming, and as needed, removal along critical public trails, and improved signage and public education can help prevent use of unsafe trails.

Option 6 provides a vehicle for the City to fulfill its obligation to do preserve the Ellwood Complex as a functioning and vital overwintering site for Monarchs, while simultaneously addressing the safety risk. We respectfully urge the Council to direct Staff to analyze Option 6 in consultation with the City's Monarch biologist Dan Meade, and prepare the necessary analysis and documentation to enable the Council to approve Option 6 on September 7th.

⁵ available at http://www.facilities.ucsb.edu/files/docs/Draft_OSP_0304_complete.pdf

1. Options 1 and 4 Violate City and State Policies Protecting Ellwood's Eucalyptus

The Goleta General Plan's Conservation Element identifies "eucalyptus groves associated with monarch butterfly roosts" as an Environmentally Sensitive Habitat Area (ESHA). (General Plan Conservation Element Policy CE 1.1.) The General Plan provides that "Monarch butterfly ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within these ESHAs or their buffer areas." (General Plan Conservation Element Policy CE 4.4.)

The California Coastal Act includes strong protections for ESHA, specifically section 30240, which provides:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

"Development" is defined broadly in the Coastal Act and specifically includes "the removal or harvesting of major vegetation other than for agricultural purposes". (Coastal Act § 30106.)

Additionally, the OSHMP for Ellwood Mesa provides: "Eucalyptus trees on the City of Goleta's Ellwood Mesa . . . will not be removed as part of the habitat protection and management plan. These trees provide important monarch butterfly aggregation and roosting habitat and also serve as raptor roost and nest sites." (OSHMP, p. 17.) Habitat Policy I includes "ensuring the long-term vitality of the monarch groves". Monarch Goal 1 is to "Protect and maintain existing monarch butterfly populations in the Open Space Plan Area, and manage the habitats to be self-sustaining" with Monarch Policy I providing "Manage public access to protect butterflies and their habitat, while promoting public enjoyment, education, and scientific research." (OSHMP, p. 21.) The OSHMP identifies opportunities to enhance the Ellwood Complex Monarch sites, providing specifically that "Tree removal would occur under approval and supervision of a monarch biologist and at the appropriate time of year to avoid impacts to the butterflies." (OSHMP, p. 23.) Implementation of the OSHMP is a Mitigation Measure required by the Ellwood Mesa/Comstock EIR. (See Mitigation Measure Bio-14: Implementation of the Ellwood-Devereux Coast Open Space Plan, EIR 2003071197, p. 4.4-64.)

Options 1 and 2, which call for the removal of hundreds of trees that constitute ESHA, without adequate protections for the Monarchs, and without restoration to ensure the long-term

viability – let alone vitality – of the Monarch groves, are clearly inconsistent with the above policies that protect Monarch and other sensitive habitat.

2. Options 1 and 4 Are Ineligible for an Emergency Coastal Development Permit

For the Executive Director of the Coastal Commission to approve a permit for emergency work, they must find:

- (a) An emergency exists and requires action more quickly than permitted by the procedures for administrative permits, or for ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows;
- (c) The work proposed would be consistent with the requirements of the California Coastal Act of 1976.

(14 CCR § 13142.)

With respect to the large-scale tree removal proposed in Options 1 and 4, the above criteria are not met. First, Criteria (a) cannot be satisfied because there is no "emergency". Emergency is defined for purposes of emergency permit approval as "a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services." (14 CCR § 13009.) Here, Ellwood Mesa's eucalyptus groves have been in a state of decline for years, and the City has been on notice since at least 2004 that public access was damaging the Ellwood Main site and creating vulnerabilities that have contributed to the current conditions. (See e.g. OSHMP, p. 21 "Evidence of damaging public access is very evident in the Ellwood Main site. The loss of the litter layer exposes soils to erosion. Compaction of soil can cause stress to the trees and hinders natural regeneration by seedling and saplings in the understory. In some experts' opinions, the absence of a diverse size and age structure of tress in the Ellwood Main site makes the groves vulnerable to disease.")

Moreover, the draft Tree Hazard Action Plan prepared by Althouse and Meade and included in the Staff Report for the 9/5 hearing assesses tree health but not fall risk. Specially, the Plan provides:

Arborist tree health ratings for trees associated with aggregation areas and trails do not constitute a tree fall risk. They are health ratings only. The risk of trees falling involves multiple factors including eucalyptus tree root strength, canopy height and weight load, percent trunk rot, wind, topographic position of the trunk, erosion, and other factors that

were not included in this assessment. Trees with relatively good health ratings can still fall unexpectedly, as evidenced in Ellwood Main by previous loss of large living trees that fell across the entrance trail to Ellwood Main and Devereux Creek channel in years past.

(Staff Report, p. 24.) Accordingly, many of the 900+ trees identified for removal may not be at risk of falling at all, let alone falling on a public access trail (or falling and seriously harming a healthy tree). Characterizing removal of all trees ranked 0 or 1 in the tree health assessment, regardless of fall risk or location, as an "emergency" is not supported by substantial evidence and not a defensible use of the Emergency CDP process. Increased fire risk resulting from the recent prolonged drought is also a concern motivating support for large-scale removal of trees ranked "0" and "1", however this condition is not an "emergency" for purposes of Coastal Act or CEQA compliance (see below discussion of CEQA emergency exemption.)

Additionally, on the advice of the City's insurer, public trails have already been closed to avoid any immediate public safety hazard. While prolonged closure of public trails is undesirable, opening just one or two trails would provide safe access for all communities that are currently cut off from Ellwood Mesa. Even with the closures in place, the public can access Ellwood Mesa and the beach from every key access point except for two (See Trail Closure Map, Staff Report p. 105.) Specifically, access currently exists (moving west to east) from the Bluffs development, from the Sperling Preserve parking lot (down the eastern trail leg that skirts the Bluffs development), from Santa Barbara Shores, Ellwood Beach Drive (heading east and out along the eucalyptus windrow between Ellwood Mesa and the new UCSB development; Matilda connects to Ellwood Beach Drive via Strehle Ln.), and from the terminus of Phelps Road. (See Id.) The only areas currently lacking an open path out onto Ellwood Mesa due to the trail closures are Coronado Dr. (Daytona takes access via Coronado), and Rancho Estates. (See Id.) Option 6, described above, would narrow the tree removal work to the minimum amount necessary to ensure that safe access from Coronado and Rancho Estates.

Second, Criteria (c) cannot be met because the proposed tree removal is inconsistent with the Coastal Act. Specifically, as discussed above, Options 1 and 4 violate Coastal Act ESHA policy because they include major vegetation removal in areas designated as ESHA, and are not designed or even capable of preventing impacts which would significantly degrade environmentally sensitive habitat for Monarchs and raptors. (See Public Resources Code § 30240 (b).) Preventing impacts that would significantly degrade the Monarch habitat requires careful review and development of an approach to the tree removal that will ensure key microclimatic conditions are retained and that the Ellwood Complex continues to function as overwintering habitat for Monarchs. Last December, unpermitted vegetation clearing at Ellwood Main appeared to cause the few overwintering Monarchs present to vacate the site and not return for the remainder of the season. That experience underscores the sensitivity of the Monarchs to tree removal activities that is documented in the literature (see esp. The Monarch Project's Conservation and Management Guidelines, pp. 22-23 ("Since the entire grove of trees serves as

Monarch habitat, even selective tree removal around the margins of groves may have adverse effects on the habitat . . . Long term habitat suitability and colony stability will also depend on minimizing disturbances and intrusions into the grove."))

While provision of public access is another priority of the Coastal Act, it must be balanced against protection of ESHA, and any conflict resolved "in a manner which on balance is the most protective of significant coastal resources" (Public Resources Code § 20007.5). Discussed above, adequate public access can be restored by targeted trimming, or removal of only those hazardous trees threatening safety on one or two trails connecting Coronado Drive and Rancho Estates to the open trail network, so the large-scale tree removal proposed in Options 1 and 4 is not needed to ensure consistency with the Coastal Act's public access and recreation policies.

Option 6's proposal that emergency tree removal focus only on restoring safety along the public trails necessary to restore at least one trail connecting each key entry point with open trails on Ellwood Mesa including the beach access trail, is completely in line with the policy direction in the Coastal Act on how to balance public access, public safety, and protection sensitive resources. Specifically, section 30210 of the Coastal Act provides that "maximum access . . . shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse." Section 30214 further explains "The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: . . . (2) The capacity of the site to sustain use and at what level of intensity. (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses." (Emphasis added.) Option 6 results in the appropriate limitation of public access based on the fragility of the Monarch groves, public safety concerns, and the inability to address all public safety concerns and maximize public access without compromising the natural resources in the area.

3. "Emergency" Work Proposed for Options 1 and 4 Requires CEQA Review

Emergency projects that are exempt from the requirements of CEQA include "Specific actions necessary to prevent or mitigate an emergency, not including long-term projects to prevent or mitigate a long-term situation." (CEQA Guidelines § 15269.) CEQA defines "Emergency" as a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services. Emergencies include occurrences such as fire, flood, earthquake or other geologic movement, riot, accident, or sabotage. (Public Resources Code § 21060.5.) "[A]n emergency exemption would not apply to activities that merely remedy an ongoing 'condition' that is not sudden and unexpected, as opposed to an 'occurrence' that is sudden and

unexpected. (California Environmental Law & Land Use Practice, § 21.06 (Matthew Bender, 2017).)

Discussed above, while unfortunate, the declining health of Ellwood's eucalyptus forest was neither sudden nor unexpected. The City was aware of the drought conditions, the general declining health and stresses on the eucalyptus groves, and has been in the process of preparing a Habitat Management Plan for Ellwood Mesa since 2010 which presumably has included the ongoing evaluation of the conditions of the Monarch habitat, and *could* have included measures to defend the grove against the drought and alleviate stress upon the trees. Unfortunately the substantial delay in completing this Plan has precluded protective measures that could have been in place by now to help protect the grove. The emergency exemption from CEQA is clearly not authorized to address the degraded conditions that currently exist in the Ellwood forest.

Option 6 proposes that the City focus only on those trees that pose an immediate danger of falling on public trails that must be reopened to allow for public access to Ellwood Mesa and the beach to be restored for the communities that access Ellwood Mesa via Coronado Dr. and Rancho Estates. The Emergency CDP properly includes 1) after-the-fact authorization of the existing trail closures, 2) a plan for reopening the limited number of public trails necessary to restore access to Ellwood Mesa and the beach, and 3) authorization for removing trees found to constitute a fall risk endangering the safety of necessary public trails.

4. Conclusion

Option 6 presents a reasonable phased approach that addresses public safety concerns at Ellwood Mesa, while restoring needed public access and minimizing impacts to Monarch habitat in the short term, and restoring Monarch habitat over the near- and long-term. We respectfully urge the Council to give Staff clear direction to evaluate and further develop Option 6, and return to Council on September 7th with a clear Option 6 that Council can vote to adopt.

Sincerely,

LAW OFFICE OF MARC CHYTILO

Ana Citrin Marc Chytilo

CC: John Ainsworth, Executive Director, Coastal Commission
Steve Hudson, South Central Coast District Director, Coastal Commission
Deanna Christensen, Supervising Coastal Program Analyst, Coastal Commission

From: Char < char4n6@gmail.com>

Date: September 2, 2017 at 9:41:33 PM PDT To: Paula Perotte
pperotte@cityofgoleta.org>

Cc: Peggy Duffy <<u>duffyph@gmail.com</u>>, Kevin Duffy

< duffykevin57@gmail.com>, Marcia Pepper < peppermj33@cox.net>, Cynthia

Brock < cjbrockca@cs.com > Subject: Elwood Mesa

Dear Mayor Perotte,

We are currently out of the country but want you to know we support the "option 6" approach to protecting/mitigating/restoring the habitat.

This option, proposed by The Goodland Coalition and Friends of the Elwood Monarchs, allows our city to address safety threats while taking into consideration the value and vulnerability of the ecosystem on our Elwood Mesa. Thanks so much for all the good work you do and thanks for considering this approach.

Best regards,
Charlene Marie
John DiBenedetto
398 Coronado Drive

From: Jessica Scheeter < jessica.scheeter@gmail.com >

Date: September 3, 2017 at 10:18:52 PM PDT

To: cyperotte@cityofgoleta.org>, <raceves@cityofgoleta.org>,
<mbennett@cityofgoleta.org>, <skasdin@cityofgoleta.org>,
krichards@cityofgoleta.org>, <mgreene@cityofgoleta.org>

Subject: Ellwood Eucalyptus Grove: Public Comment

To Member of the Goleta City Council,

I am writing as an Ellwood resident adjacent to the Eucalyptus Grove. With a degree from UCSB in environmental science and ecology, I am constantly walking through the eucalyptus grove, observing nesting birds, and noticing changes in the Monarch population. This year I helped Ellwood School become a certified Monarch Waystation and worked with students to plant native milkweed and nectar plants to encourage them to become stewards of this sensitive species in our backyards.

The Monarch is a source of local pride and I strongly encourage you take utmost caution with any alterations to the Monarch habitat. Before any major tree removals are performed within the vicinity of the aggregation sites, a Monarch Habitat Management must be in place.

I carefully read through the staff report and could not support any of the options put forward. I understand the concern for public safety and that some "high risk" trees will be removed, but immediately removing over 900 dead and dying trees is extreme and reckless with respect to disruption of Monarch habitat. I support the Option 6 put forward by The Friends of the Ellwood Monarchs. I feel it is a sensible approach that balances public safety with habitat conservation. While "high risk" dead trees are removed on trails identified for reopening (trails which require the least amount of habitat disruption), the preparation of the Habitat Management Plan should be expedited. Trees marked as "dying" should continue to be observed, as eucalyptus are drought tolerant and can drop their leaves due to drought stress but then sprout new leaves along their branching (epicormic sprouting). I want to strongly encourage the Council to conduct more observations on use of the trees by birds of prey and owls. Dead trees and snags can provide important habitat benefits and are a natural part of forest ecosystems.

I have been visiting the Main Grove for over 20 years and I have never seen the Monarchs abandon the grove as they did last November, not to return. Many neighbors attribute this to tree work done in November. Whether it was the noise, or changes in microclimate, airflow, etc due to the removal of the tree, the

Monarch are vulnerable to subtle changes in their habitat in ways we can not predict. Their distribution patterns this winter should be monitored. There is inherent risk in walking through a eucalyptus forest and there always has been due to their shallow root systems. After storms, healthy live trees topple over. I believe that the City can address public safety with signage, limited trail closures, and a targeted removal of the highest risk trees identified as having poor root strength or leaning toward public trails. It is also your duty as a Council to protect Monarch habitat and do everything you can to prevent disruption within their aggregation sites. I support the new Option 6 put forward by The Friends of the Ellwood Monarchs because I feel it can accomplish both goals of addressing public safety and preserving monarch habitat.

Sincerely, Jessica Scheeter Carmel Beach Circle, Ellwood From: Marian Cohen < marian21cohen@gmail.com >

Date: September 3, 2017 at 4:04:13 PM PDT

To: cyperotte@cityofgoleta.org>, <raceves@cityofgoleta.org>,
<mbennett@cityofgoleta.org>, <skasdin@cityofgoleta.org>,
<krichards@cityofgoleta.org>, <mgreene@cityofgoleta.org>

Subject: Ellwood Mesa Monarch Habitat

Dear City Council Members and City Manager,

We cannot attend the Sept. 5 and Sept. 7 meetings as we will be out of town. We have read the whole staff report and appreciate the time and effort spent thus far to explore and explain different options. However, we urge you to adopt the "Option 6" approach recommended by *The Friends of the Ellwood Monarchs*. This option, while recognizing the importance of public safety and public access, calls for the creation of a comprehensive Monarch Habitat Management Plan in the immediate future and for delaying any large-scale removal of trees until a restoration plan has been reviewed and approved by the public.

Sincerely,

Marian and Steve Cohen Goleta

Emergency Conditions on Ellwood Mesa

September 5th City Council meeting, Item D.1

What this staff report does is claim an emergency and provides options to get rid of the Ellwood trees that the Monarch's depend upon for their winter aggregation. There is no consideration for the butterflies or suggestion of mitigation and restoration. There also has been no risk assessment indicating an emergency situation. No environmental review has been done either. One would think this was proposed by a logging company. Drastic cutting at this time could be the death of the aggregation sites. The only reasonable option is Option 6 proposed by The Friends of the Ellwood Monarchs.

What is included in this staff report is a not a Tree Safety Plan but an incomplete draft tree health study with recommendations having nothing to do with public safety risks. Although this is all supposedly to protect the public, it should be pointed out that there has been no risk assessment just a tree health report. The report clearly states on page 24 that, "Arborist tree health ratings for trees associated with aggregation areas and trails do not constitute a tree fall risk. They are health ratings only. The risk of trees falling involves multiple factors including eucalyptus tree root strength, canopy height and weight load, percent trunk rot, wind, topographic position of the trunk, erosion, and other factors that were not included in this assessment." There has been no risk assessment regarding the Ellwood trees that are claimed to need to be removed as an emergency.

The proposed options themselves have serious environmental problems. The fencing mentioned in several options would have additional unnecessary negative impacts on the groves. Any option should have environmental review by someone not involved in this proposal in order to have a fair review. There is a rush to do this tree removal without adequate thought. Public Works may be used to handling tree removal issues without review but the Ellwood Mesa Monarch groves are not your standard group of trees.

I would like to know why this issue was never taken to the Public Tree Advisory Commission. Why weren't the previous two removals of trees on Ellwood Mesa reviewed by the PTAC?

Trees should not be removed without first preparing a Habitat Restoration Plan. Since you haven't done a Habitat Restoration Plan in over 6 years although it is required, why should we trust you to do it after the removal? The public has brought this issue up a number of times over the years with no resulting action from the City.

The action plan which places protecting public trails before protecting Monarch aggregations sites has the priorities backwards. The Monarchs need the sites to

survive; the public can use other trails. The only areas of concern are trails through the groves, yet you want to remove hundreds of trees that are of little or no risk to the public. All of this removal is without plans for mitigation or restoration.

The September 7th staff report included Pros and Cons but like rest of the staff report, the staff fails to understand that the most important issue is the welfare of the Monarchs. The only real concern shown is in expediting the re-opening of trails and maximum public access. The first Pros under Option 1 is just the opposite of what this option does. It will seriously degrade the habitat. The restoration will not be expedited but will be sometime in the future. I will only say that much of the rest of the Pros and Cons is also incorrect.

I have been asked numerous times why the City wants to do this. I have said that I don't know, but that I know it will do serious damage to the Monarch aggregation sites. It has been suggested to me that the City wants to wreck the site so it can be turned into housing. The public has little trust in the Council and you should handle this like every other project and do environmental review before you do emergency tree removal.

It is sad to see that none of the staff options are acceptable. There should be very limited removal of trees along major trails with immediate mitigation and restoration. Fortunately for the community, The Friends of the Ellwood Monarchs has proposed an excellent option, Option 6. Don't settle for one of the staff's options. Option 6 is an option that balances public access with the need to preserve critical Monarch habitat. Please select Option 6.

Barbara

From: 2Palleys [2Palleys@cox.net]

Sent: Monday, September 04, 2017 9:39 AM

To: Paula Perotte; Roger Aceves; Michael Bennett; Stuart Kasdin; Kyle Richards; Michelle Greene

Subject: Save Ellwood

Dear City Council member,

As a frequent and longtime walker at Ellwood I am horrified by the implications of option 1. Please endorse Option 6 that Friends of the Ellwood Monarchs and the law office of Marc Chytilo have proposed. It is the best chance of making the Ellwood reserve safer and at the same time preserving the rare and endangered Monarch Butterfly habitat. In my previous e-mail I mistakenly identified Option 6 as having been in the staff report but on careful reading I realize that is not the case.

Respectfully Kenneth Palley Memo To: Goleta City Council

From: Ken Knight, BCMA, RCA, ISA Risk Assessment Qualified

Date: September 5, 2017

Subject: 9/5/17 PM City Council Meeting Agenda Item D 1

I recommend choosing Option 5 of the proposed actions for the following reasons:

- 1) Excluding people from this area is a viable option. The eucalyptus forest was never intended to be a preserve for intensive use by people. A mature eucalyptus forest preserve including intensive use by people is not a viable, sustainable objective. If people are prohibited from entering this area, then there is no emergency. The public still has access to the ocean and numerous open space trails in the area.
- 2) The tree removal proposal <u>will not resolve the underlying health problems</u> of the Ellwood Mesa Eucalyptus forest. The eucalyptus forest has not been getting the rainfall it needs to remain healthy. There is no guarantee that normal rainfall patterns will return after trees are removed.
- 3) Without insecticides, which can't be used without harming the butterflies, the insects attacking the eucalyptus will continue to persist if the trees aren't healthy enough to use their natural defenses or if other predator insects are introduced.
- 4) A Habitat Management Plan should be done first to determine if a tree removal program will be successful in achieving the objectives of assisting butterfly habitat. The City's effort to restore the redwood groves at Stow Grove Park demonstrate how difficult it is to implement a successful multi-year restoration project without adequate rainfall or irrigation. Also, closer review is needed of the costs and results in other areas that have tried this type of restoration.
- 5) The primary objective of preserving the butterfly habitat is being muddied with other objectives that will not be achieved by this proposal. The removal of dead trees will not achieve fire management objectives—a defensible space program around adjacent residences would still be needed even if this proposal was implemented. Homeless encampments will continue to exist regardless of the number of trees are removed—these are social services issues.
- 6) The proposal justifying the removal of the trees is not a risk management plan but a tree health assessment. An unhealthy tree is not necessarily a risky one. If there is a concern about unsafe trees, then a risk assessment of the trees should be conducted, not a health assessment. The consultant has made it clear that their study is not a risk assessment. Only 26 of the 900+ trees proposed for removal are directly butterfly related trees. The remainder deal with people issues.
- 7) The City does not have the ongoing resources to address the butterfly habitat issue, which has statewide and national implications. Funding for this multiple-year project should come from state and national funding, not local General Funds. General Fund financing for this project should be considered with other city needs during the annual budget process.
- 8) This is the largest public tree program ever proposed by the City. The Public Tree Advisory Commission should be involved in the review.

ISA Basic Tree Risk Assessment Form

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Deborah Lopez

From:

Stuart Kasdin

Sent:

Tuesday, September 05, 2017 9:12 AM

To:

Michelle Greene; Deborah Lopez

Subject:

FW: Regarding The Ellwood Mesa and The Friends of the Ellwood Monarchs

Stuart Kasdin, PhD

Mayor Pro Tempore
City of Goleta | 130 Cremona Drive, Suite B | Goleta, CA 93117
805-961-7539 | skasdin@cityofgoleta.org

From: George Relles [grelles@cox.net]
Sent: Tuesday, September 05, 2017 9:11 AM

To: Paula Perotte; Roger Aceves; Michael Bennett; Stuart Kasdin; Kyle Richards; Michelle Greene

Subject: Regarding The Ellwood Mesa and The Friends of the Ellwood Monarchs

Dear Mayor Perotte, Council Members and City Manager,

I'm writing in behalf of The Goodland Coalition to express our endorsement of the "Option 6" recommendations detailed in the letter you received from *The Friends of the Ellwood Monarchs*. Their recommended approach would provide for safe public access to Ellwood Mesa and the Ocean while protecting priceless Monarch habitat. We respectfully request that you adopt the "Option 6" approach of *The Friends of the Ellwood Monarchs*.

We ask the City Council and staff to:

- Create and implement a short-term plan that provides for public trails to areas currently lacking a safe route to Ellwood Mesa and the ocean, while attending only to the trees that pose a real and imminent threat to public safety along these trails. This includes providing adequate signage and maps for the public.
- Delay any large-scale removal of trees until a restoration plan is prepared, reviewed by the public and approved.
- Expedite the development and approval of a Monarch Habitat Management Plan for Ellwood Mesa. This should include a timeline for phasing any tree removal restoration, and for reopening the remaining public trails, while respecting habitat management strategies and requirements.

Thank you for your careful consideration of this matter.

Sincerely,

George Relles in behalf of The Goodland Coalition



Virus-free, www.avast.com

Michael Iza 7190 Alameda Avenue Goleta, CA 93117 805-453-9234 mikeiza@cox.net

September 5, 2017

Mayor and Councilmembers City of Goleta 130 Cremona Drive, Suite B Goleta, CA 93117

RE: Agenda Item D.1 Emergency Conditions on Ellwood Mesa

Dear Mayor and Councilmembers:

I am writing in regard to the item <u>Emergency Conditions on Ellwood Mesa</u> on the Council September 5 agenda. As you are aware:

- Council directed staff in 2010 to develop a Monarch Butterfly Inventory and Habitat Management Plan for the Ellwood Mesa Butterfly Grove;
- Staff began work on the Inventory and Plan in 2011 and conducted public workshops between 2011 and 2013:
- Additional tree and butterfly inventories took place in 2015 and 2016;
- Staff presented information to Council in 2017 stating that an emergency situation exists;
- Still, over seven years have passed since council directed staff to develop a management plan and there is not a Draft Habitat Management Plan for public or Council review.

Most recently, the City was provided updated tree health information in June 2017, which indicated that grove health has declined since the initiation of Plan development and overall health has been exacerbated by pests and drought. Staff reported that health of the grove declined to the point of an "emergency". The September 5 staff report recommends Option 1: removal of over 900 trees due to "emergency" conditions. Of the five options presented, Option 1 is the least well planned and permitted route for the City to take. It is counterintuitive that the areas of Ellwood that are intended to be managed under a Habitat Management Plan would be "managed" wholesale in a singular phase without the benefit of an adopted Management Plan.

Recently, the Goodland Coalition submitted an "Option 6", which seems far better than Options 1-4 proposed by staff in dealing with the current status of the forest and management of the Ellwood forest complex. However, it does not fully account for habitats other than the Monarch Butterfly at the Ellwood preserve. These habitats include: white tail kite, cooper's hawks, red shoulder hawks, red tail hawks, and turkey vulture nesting, roosting, and foraging sites as well as other unique habitats used by various wildlife.

While Ellwood is known for its Monarch habitat, there are many other species that depend on this area for their survival. The species of the Ellwood forest complex are interdependent and these connections must be considered in the responsible management of the forest. For example, raptors also have their own designated Environmentally Sensitive Habitat Area (ESHA) in the City's General Plan¹, which must be considered during management and tree removal. Ideally, this would be addressed during a proper permit process (Development Plan, CEQA Review, Coastal Development Permit, etc.). However, this was dismissed in the staff report. The staff solution was to declare an "emergency", though existing conditions have been slowly developing since at least 2010, when Council directed staff to develop a Management Plan.

Until a thorough, peer reviewed impact analysis and associated Management Plan is completed, approved, and properly permitted, we strongly oppose any removal or modification of trees in the Ellwood forest complex.

Thank you for your consideration and we look forward to the community discussion surrounding this issue.

Warmest regards,

Michael Iza

Michael Iza, M.S., Goleta Resident

Additionally signed:

Lily Oliveira, Goleta Resident Timothy Burgess, Ellwood Resident Amanda Burgess, Ellwood Resident Stephanie Drake, Ph.D., Ellwood Resident Khristopher Drake, Ellwood Resident Heather Shea, Goleta Resident Rvan Cev. Ellwood Resident Melanie Cey, Ellwood Resident Tamra Abel, Ellwood Resident David Abel, Ellwood Resident Amy Herzog, Ellwood Resident Jenn Birchim, Ellwood Resident Rachel Quittner, Ellwood Resident Brian Quittner, Ellwood Resident Kim Hurley, Goleta Resident Troy Hurley, Goleta Resident Kathy Goeden, Ellwood Resident Becca Wrench, Ph.D., Goleta Resident Dean Wrench, Goleta Resident Lisa Potter, Goleta Resident Ruth Ann Rentfrow, County Resident Tim Maskrey, Ellwood Resident

Amy Marston, Goleta Resident Rvan Castorino, Ellwood Resident Kristin Castorino, Ellwood Resident Shannon Mercier, Ellwood Resident Chris Mercier, Ellwood Resident Brittany Jordan, Ellwood Resident Cody Makela, Goleta Resident Patty Makela, Goleta Resident Mike Kaufman, Ellwood Resident Linda Kaufman, Ellwood Resident Shithi Kamal-Heikman, Ellwood Resident Shama Kamal, Ellwood Resident Sten Heikman, Ellwood Resident Abul Kamal, Ellwood Resident Sara Iza, M.S., Goleta Resident Lisa Berry, Ph.D., County Resident Jeanine Byers, Ellwood Resident Dan Byers, Ellwood Resident Tara Hug, Ellwood Resident Andy Hug, Ellwood Resident Laura Maskrey, Ellwood Resident

¹ <u>See also</u>: the City's General Plan Conservation Element which describes ESHA types and protections within the City. Specifically, Table 4-1, Policy CE 1.2(k), and Table 4-2, which highlight specific ESHA protections for raptors and other sensitive species.

Deborah Lopez

From:

Michelle Greene

Sent:

Monday, September 04, 2017 5:27 PM

To:

Stuart Kasdin Deborah Lopez

Cc: Subject:

Re: Comment on D.1, Emergency Conditions on Ellwood Mesa

Thanks. We will distribute to Council.

Sent from my iPhone

On Sep 4, 2017, at 4:16 PM, Stuart Kasdin < skasdin@cityofgoleta.org > wrote:

Sent from my iPhone

Begin forwarded message:

From: < Masseybarb@aol.com>

Date: September 4, 2017 at 2:37:36 PM PDT

$$\label{eq:total_condition} \begin{split} &\textbf{To:} < & \underline{\text{skasdin@cityofgoleta.org}} >, < & \underline{\text{krichards@cityofgoleta.org}} >, < & \underline{\text{mbennett@cityofgoleta.org}} >, < & \underline{\text{raceves@cityofgoleta.org}} >, \end{aligned}$$

cpperotte@cityofgoleta.org>

Cc: < dlopez@cityofgoleta.org >, < masseybarb@aol.com >

Subject: Comment on D.1, Emergency Conditions on Ellwood Mesa

Mayor and Council members,

I have attached my comments on the Ellwood Tree Removal. I think this is a poorly conceived project with none of the option appropriate to solve the problem. I hope you will carefully read Option 6 prepared by The Friend of the Ellwood Monarchs. This is a far better solution than any proposed by staff. Please consider Option 6 which balances public access with preservation of Monarch habitat as your preferred option.

Thank you, Barbara

<Ellwood Mesa trees.doc>

Deborah Lopez

From:

Paula Perotte

Sent:

Tuesday, September 05, 2017 9:58 AM

To:

Michelle Greene; Deborah Lopez

Subject:

Fwd: Item D.1 - Ellwood Mesa

FYI Paula ~

Sent from my iPhone

Begin forwarded message:

From: Jennifer Smith < <u>irsmith98@gmail.com</u>> **Date:** September 5, 2017 at 9:28:44 AM PDT

To: Paula Perotte perotte@cityofgoleta.org, cityofgoleta.org, cityofgoleta.org,

< krichards@cityofgoleta.org >

Subject: Item D.1 - Ellwood Mesa

Dear Mayor Perotte and councilmembers,

I am writing in support of Option 6 as articulated by The Friends of the Ellwood Monarchs.

My main concern about the staff report is that there is very little risk analysis included. My general understanding is that even healthy eucalyptus trees may present risk to the public and that their status as dead or dying does not entirely predict fall risk. The public and council need more information to do an appropriate risk analysis.

See page 24 of staff report:

"Arborist tree health ratings for trees associated with aggregation areas and trails do not constitute a tree fall risk. They are health ratings only. The risk of trees falling involves multiple factors including eucalyptus tree root strength, canopy height and weight load, percent trunk rot, wind, topographic position of the trunk, erosion, and other factors that were not included in this assessment. Trees with relatively good health ratings can still fall unexpectedly, as evidenced in Ellwood Main by previous loss of large living trees that fell across the entrance trail to Ellwood Main and Devereux Creek channel in years past."

I believe closure of the trails reduces a significant amount of apparent risk, and that limited reopening of some trails would allow for safe access to the bluffs by local residents and comply with Coastal Act priorities.

I urge the council to:

- Create and implement a short-term plan that provides for public trails to areas currently lacking a safe route to Ellwood Mesa and the ocean, while attending only to the trees that pose a real and imminent threat to public safety along these trails.
- Delay any large-scale removal of trees until a restoration plan is prepared.
- Expedite the development and approval of a Monarch Habitat Management Plan for Ellwood Mesa.

Thank you for your consideration of this important matter.

Jennifer Smith 7391 Chapman Place #B Goleta CA 93117 jrsmith98@gmail.com

Deborah Lopez

From:

Stuart Kasdin

Sent:

Tuesday, September 05, 2017 11:10 AM

To:

Michelle Greene; Deborah Lopez

Subject:

FW: Tree cutting and removal at Ellwood

Stuart Kasdin, PhD

Mayor Pro Tempore
City of Goleta | 130 Cremona Drive, Suite B | Goleta, CA 93117
805-961-7539 | skasdin@cityofgoleta.org

From: Marcia Pepper [peppermj33@cox.net]
Sent: Tuesday, September 05, 2017 11:08 AM

To: Stuart Kasdin

Subject: Tree cutting and removal at Ellwood

Dear Councilman Kasdin,

I am writing regarding the large scale tree removal project being proposed for the councils' decision this week. Please don't cut down 900 trees in one swoop by the 9/30/17 deadline!!! I believe this is a recipe for totally losing the monarch butterfly overwintering habitat throughout the Ellwood eucalyptus groves. Instead, please support the Option 6 approach proposed by The Goodland Coalition and Friends of the Ellwood Monarchs. This proposal addresses safety threats from dead and dying trees. It also protects monarch habitat.

This is a good time to also address the need for the completion of a Habitat Restoration and Management Plan for the eucalyptus groves at Ellwood. I urge you to do so in order to protect the monarch habitat for the future and also to protect one of our community's greatest natural treasures.

Thank you for your service and work representing our city, its various communities and resources.

Marcia Pepper 410 Coronado Drive Goleta, CA 93117

Deborah Lopez

From:

Stuart Kasdin

Sent:

Tuesday, September 05, 2017 11:40 AM

To:

Deborah Lopez; Michelle Greene

Subject:

FW: Friends of the Ellwood Monarchs and Option 6

Stuart Kasdin, PhD

Mayor Pro Tempore
City of Goleta | 130 Cremona Drive, Suite B | Goleta, CA 93117
805-961-7539 | skasdin@cityofgoleta.org

From: Sue Sadler-Pare' [slsp2@hotmail.com] Sent: Tuesday, September 05, 2017 11:33 AM

To: Paula Perotte; Roger Aceves; Michael Bennett; Stuart Kasdin; Kyle Richards; Michelle Greene

Subject: Friends of the Ellwood Monarchs and Option 6

PLEASE do not go through with the over zealous and irresponsible option #1!

Option #6 provided by The Friends of the Eliwood Monarchs, is much more reasonable and less destructive to the entire ecosystem! We have trees that are in danger of falling all over the city! What are you going to do, cut ALL of them down so no one sues the City??? GET REAL!

IF you go through with #1 and not #6, we will vote all of your butts out of office ASAPI

Unhappy 30+ year resident of Goleta who uses this open space regularly!-Sue Sadler