



March 15, 2016

Honorable Members of the Los Angeles City Council
City Clerk
Los Angeles City Hall
200 N. Spring Street, Room 395
Los Angeles, CA 90012

RE: CF 14-0163-S3, Sidewalk Repair Policy

Dear Honorable Members of the Los Angeles City Council,

Over the past year, TreePeople has closely followed the discussions and developments surrounding efforts by the Los Angeles City Council to design a comprehensive sidewalk repair program. Efforts to make our pedestrian pathways more accessible for all Angelenos are essential. Additionally, since decisions and plans tied to this sidewalk repair program touch many sectors of our City's infrastructure, it will have lasting impacts for decades to come. Sidewalk repair efforts confront our City with decisions to preserve or remove trees due to root conflict - decisions which impact the integrity of the City's urban forest. While it is often overlooked, our urban forest is a critical piece of the City's infrastructure that protects Angelenos from heat and air pollution, helps capture and clean our water, and prevents flooding. Given current and projected future climate change impacts and the City's commitments and plans to address these challenges with strategies such as urban cooling and stormwater capture, it is imperative that repairs of critical infrastructure are forward-thinking and protect Angelenos from climate change vulnerabilities.

TreePeople recognizes the numerous complexities surrounding the development of a comprehensive, long-term sidewalk repair program for the City of Los Angeles. The vision articulated in the February 29th, 2016 letter by Councilmembers Krekorian, Buscaino, Bonin and Martinez to enact a policy that seeks to provide comprehensive repairs to sidewalks throughout the City is highly commendable. Furthermore, it is encouraging to see the lengths the proposed policy takes to both protect the urban forest, and encourage green infrastructure opportunities to increase local water supplies. TreePeople would like to respectfully provide the following comments and recommendations on the proposed citywide program for repairing sidewalks as detailed in the February 29th, 2016 policy proposal and recommendations:

Comprehensive Repair Program

A more comprehensive repair program that will provide all broken sidewalks with a one-time repair is critical for promoting accessibility, equity, and overdue upgrades to our aging sidewalk infrastructure. However, it is unclear how the per-parcel cap on the City's cost obligation will impact the execution of repairs that go beyond standard fixes. For example, investments in efforts to save trees or opportunities to incorporate green infrastructure will potentially cost more than the per-parcel cap allocated by the City, despite the fact that these investments will provide long-

term savings in the form of reduced public health burdens, need for imported water, and other benefits. Underserved communities should also have access to these benefits and not be precluded because of any inability to contribute to the cost that additional measures to save trees in their neighborhood might incur. TreePeople recommends that the sidewalk repair policy expand on how the per-parcel cap can accommodate the costs associated with urban forestry maintenance and green infrastructure retrofits in areas where they are needed. There is great potential to leverage other funding sources for water supply, water quality and flooding issues to augment sidewalk repair funding, creating the ability to ensure any infrastructure changes have multiple benefits.

Warranty for Future Damage

The careful selection of appropriate trees for each planting location is obviously ideal, however, this settlement deals with trees that are in less than ideal growing conditions. We also know that the City has had past experience with root pruning trees to prevent removal, only to have sidewalk buckle again in less than a decade. While a 20-year warranty for repairs provided by the City serves as an important buffer for property owners concerned about incurring costs for sidewalk repairs, there is potential for the City to opt to remove trees in order to avoid future liability for sidewalk damage within the 20 year window. While trying to find the best way to retain as many trees as possible and appropriate, TreePeople recommends that the City, under the guidance of the Community Forestry Advisory Committee (CFAC) and the Urban Forestry Division (UFD), develop a protocol that involves a preliminary inspection of all sites that involve tree root conflicts to assess what long-term solutions are available to increase the available soil volume and growing space, and preserve trees and prevent removal, for current and future scenarios. Potential solutions include but are not limited to increasing tree well space and utilizing alternative pavers.

Prioritizing and Coordinating Repairs

Coordination between City departments and other relevant players is essential for comprehensive sidewalk repairs, and it is encouraging to see this as a pillar of the proposed policy. However, the proposal lacks a detailed framework for how coordination will be conducted, and which City stakeholders will be involved. TreePeople recommends that the proposed policy explicitly include entities within the City whose projects touch or impact sidewalks, including but not limited to agencies that oversee: water, transportation and mobility, planning, urban forestry, and public health. Furthermore, TreePeople recommends along with our partners from the transportation and mobility, public health, social equity, and aging rights communities that the City develop a comprehensive inventory of the City's 11,500 miles of sidewalks in order to ensure that the aforementioned efforts to prioritize and coordinate repairs are effective, efficient, and data-driven.

Preserving the Urban Forest While Maintaining Accessibility

Our urban canopy, in addition to being beloved features of our neighborhoods, is vital City infrastructure for shading and cooling our communities, capturing local water for quality/flood control/supply purposes, and many other social and environmental benefits. The provisions in the proposed sidewalk repair policy to protect trees are a strong first step, and the consistent involvement of UFD and CFAC in developing the technical details around the range of issues that will determine the fate of our urban canopy is critical. TreePeople recommends that the urban forestry provisions of the proposed sidewalk repair policy be strengthened in the following ways:

- **Measuring tree benefits:** We acknowledge that the City is already moving in the direction of having a more comprehensive inventory of their trees. Given the many invaluable benefits our urban canopy provides for the environmental, social, and economic well-being of our City, investments in this vital infrastructure should adequately mirror those benefits. All

decisions made around trees must sufficiently take an inventory and benefits into account, and as such TreePeople recommends that the City, guided by CFAC, develop a methodology for measuring the multiple benefits of our urban forest that can inform decision-making and future investments. While this is a process that could be conducted and funded outside of Willits settlement mandates, it is nonetheless a critical process for informing sidewalk repairs.

- **Tree removal, replacement, and maintenance protocol:** Work with members of CFAC and UFD to develop a decision-making protocol to inform decisions to keep or remove trees with sidewalk root conflicts, adequate tree replacement ratios, and maintenance standards for newly planted trees. This protocol should provide City sidewalk repair crews and private contractors with clear guidelines for thoroughly evaluating costs and benefits around keeping or removing trees, selecting appropriate species and determining number of trees for replacement. The protocol should comprehensively take into consideration the range of benefits a healthy and thriving urban canopy provides to our City. While TreePeople supports the streamlining of tree removal and replacement policies and procedures, it is also critical that any best practices and protocols accommodate the highly site-specific and nuanced scenarios repair crews will be presented with.

Utilizing Non-Standard Sidewalk Designs and Materials

Given the complex needs spread across many realms that are addressed through sidewalk repairs, issues around selection and deployment of alternative designs and materials, design standards, cost-sharing mechanisms and warranties should not be limited to the purview of the Bureau of Engineering. TreePeople recommends the establishment of a technical committee that includes but is not limited to UFD, CFAC, City Planning, and water agencies such as the Department of Water and Power and Bureau of Sanitation.

Leveraging the Sidewalk Program, Accelerating Construction and Alternative Financing Options

TreePeople applauds the City for its vision to maximize the impact of funds allocated for sidewalk repair by exploring other funding sources that can help expedite the completion of the program. While TreePeople understands the primary focus of this effort is to expedite the mandate laid forth by the settlement to improve accessibility, we also want to urge the City to explore alternative financing sources that can augment settlement funding and leverage the repairs taking place to achieve other City infrastructure goals to protect urban canopy and capture stormwater.

Thank you for considering these recommendations. TreePeople looks forward to working with you and your staff to support the best possible policy for protecting our urban canopy and upgrading our infrastructure for a climate-resilient Los Angeles.

Sincerely,



Rachel Malarich
Director of Forestry
TreePeople