

TO: The City of San Luis Obispo Tree Committee

Mr. Derek Johnson, SLO City Manager

FROM: Jeremy Lowney, Owner - Solid Oak Tree Management

DATE: April 24, 2022

RE: Tree Removal Denial Appeal

Good evening! My name is Jeremy Lowney. First, I would like to introduce myself and explain my qualifications to consult regarding this tree issue on behalf of my clients Bart and Stephanie Schwan, owners of 439 Branch Street, who are in the audience this evening and may have comments afterwards.



SOLID OAK
TREE MANAGEMENT
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I have been the owner of Solid Oak Tree Management here in SLO since 1998 – formerly one of the top ranked tree services in San Luis Obispo County before moving to Africa in 2015. We were frequently referred by Ron Combs and worked closely with him on many occasions. Ben Parker, a former member of this Tree Committee for many years, is also a client of mine and can also vouch for me and the integrity of our company. Ben and I sat on the Cambria Forest Management Committee together for several years.

Please be patient with me as I express myself a bit because I feel it is relevant.

As you know, there is a big difference between a Tree Expert and a Certified Arborist.

I have a Bachelor of Science Degree from Cal Poly San Luis Obispo in Forestry and Natural Resource Management, with a special concentration in Arboriculture and Advanced Arboriculture from the Ornamental Horticulture Department, as well as studying Urban Forestry in the Forestry Department. A tree expert needs to have in-depth courses in Botany, Dendrology, Plant Physiology, Plant Pathology, and Plant Entomology – which is what one receives at Cal Poly. I did further studies at UC Riverside to understand palm trees, tree appraisal, and technical report writing. My Senior Project was doing field research and writing up some of the first studies on Pine Pitch Canker (*Fusarium circinatum*) disease in the Monterey Pines on the Central Coast, which landed me a seat on the California State Pitch Canker Task Force with the leading Cal Fire Forest Pathologists and Entomologists for the State.

My first job out of college was an internship for the SLO County Planning & Building Department as a Hazardous Tree Inspector for the Coastal Zone (Primarily Cambria, Los Osos, and Nipomo) where I had privilege of looking at thousands of hazardous trees and evaluating them. Later I had the pleasure of helping to write a portion of the SLO County Tree Ordinance, and became a paid contractor for SLO County Planning. They helped me to become a Certified Arborist #3718 in 1998.

After many years working with all species of trees in this County, and consulting regularly for various projects, I was asked by Cal Poly to come and teach the Urban Forestry Class, which I did from 2010 to 2014. In 2015 my family and I moved to Africa where I started a Non-Profit called Trees 4 Kilimanjaro. Ron Combs was one of my lecturers in the Urban Forestry class, and he has now taken my seat and is doing a great job.

I apologize for the long introduction, but I think it is important to better understand my background and case regarding this tree.

One of the primary labs we did as an Urban Forestry class was to evaluate Tree Ordinances. If you have read through those in our County you know that they are all radically different, and very few of them make any sense at all. I don't believe any of them were written from the perspective of a tree expert. They are often written by Planners, or often shared from other cities or counties.

To my point, if you do the research, 90% of nearly all tree root systems are in the top two feet of soil. It is also a fact that tree roots extend a distance of 1.5 times the width of the canopy or more (See diagram provided). Tree roots can also be the size of the scaffolding branches of the tree, in this case over 18" in diameter. If 90% of tree roots are in the top 2 feet, and 1.5x the width of the canopy (or drip line), then approximately 10-15% of the roots are under and in the foundation of the Schwan's house footprint, as well as spread all over the back yard, under sidewalks, and in the utilities. It is only a matter of time before they do significant damage, if they are not already.

As I understand it, your criteria for a tree removal is that it needs to show **existing** cracks caused by a tree. I don't feel that this is an appropriate measure of a nuisance or damage. My point is that it is clearly inevitable that there are extensive roots in and under the foundation of this house which cause an **imminent** threat to the foundation of not only my client, but also that of Mrs. Aten where the tree originated. In other words, her tree may or may not be damaging the Schwan's home now, but I can guarantee that it will. There was a previous Ash on the property line which we removed from this property about 12 years ago. The tree was 52" in diameter and when we counted the rings, it was 52 years old. That is an average of 1" diameter per year. It heaved a concrete pad for a shed, and pushed over the same fence, forcing it into the wall of the house. The Tree Committee at that time approved the removal of the tree.

One quote that I often use to balance my tree-protective nature is to remember that "Every tree will one day fail". If you do the research, you will find thousands of cases of big heritage trees falling and killing or injuring people and property due to their massive size and tendency to decline after the age of senescence. I personally have removed many trees with cranes which have crashed through people's roofs or smashed their cars – some of them were the Ficus trees in downtown SLO. In one case a protected oak in downtown Paso Robles fell and crushed a man and broke his leg. The tree had a major cavity so that you could see through the entire trunk. Large trees cause large problems. Good arboricultural practices should dictate that trees of the correct size and spacing from hardscapes and structures ought to be planted in sensible areas where there are not high-risk targets whenever possible, and will not interfere with utilities and structures. When they are not, they require high levels of maintenance and replacement costs when they have outgrown their space, or they will inevitably fail.

The owners of this tree would like to remove the tree before it becomes a **bigger** problem for their homes, for their tenants, for their safety, for their landscapes, for their peace of mind, and for their utilities. It is their desire to remove a nuisance which is clearly a very expensive problem for them both. Replacement with younger trees is an excellent horticultural practice in an uneven-aged urban forest environment. Let the massive trees have their time and place where they have room to grow and thrive, and are not a threat to lives and property, causing homeowners (and tenants) to lose sleep, and eat up their pocketbook year after year.

By denying the removal of this tree now, you are in effect becoming responsible for the damages caused by this tree in the near future. It is denying the homeowners the right to protect their own safety and private property. Removing this tree and replacing it with something manageable is the responsible thing to do.

Thank you so much for your time and understanding. Please feel free to ask me any questions.

Jeremy Lowney

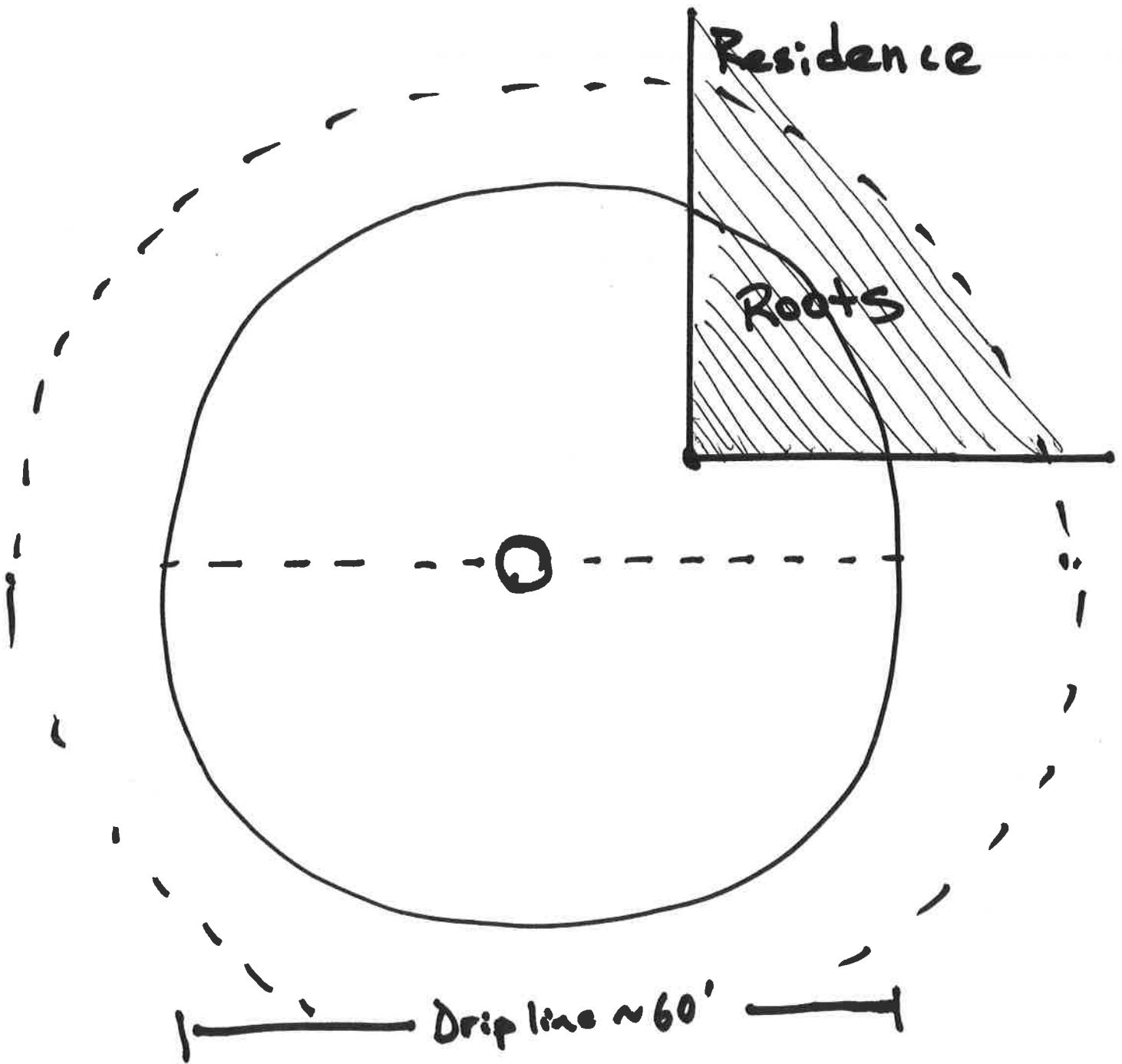
Solid Oak Tree Management

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JEREMY LOWNEY

Solid Oak

Re: 439 Branch St. Ash Tree



Actual root zone

- * 90% of roots are in the top 2 feet of soil in nearly all trees.
- * 10-15% of roots are under Schwan's residence