



# Memorandum

**TO:** TRANSPORTATION AND ENVIRONMENT COMMITTEE

**FROM:** John Ristow  
Chris Burton

**SUBJECT:** COMMUNITY FOREST MANAGEMENT PLAN AND URBAN FORESTRY ANNUAL REPORT

**DATE:** 5/13/24

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Approved

A handwritten signature of John Ristow.

Date

**5/22/24**

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## RECOMMENDATION

Accept report on progress made towards goals set forth in the Community Forest Management Plan and Urban Forestry Annual Report and the tree in-lieu mitigation fee audit.

## BACKGROUND

San José's community forest is a vital City asset with a complex maintenance and management structure. Property owners in San José have been responsible for street tree and sidewalk maintenance adjacent to their properties for several generations per the City's municipal code. As a result, the City's street tree program has been primarily regulatory and enforcement-based, where permits are required and issued for tree-related activities.

The adoption of the Community Forest Management Plan (CFMP) in February of 2022 changed the strategic direction of the City's forestry program, resulting in more staff across the Department of Transportation (DOT) and Department of Parks, Recreation and Neighborhood Services (PRNS), funding to prune and maintain all street trees on a 12-year cycle, and funding to plant 1,000 trees per year. DOT and its partners plant an additional 1,000 trees annually with various collaborations and funding streams.

The City Auditor was also directed to determine how and whether the City is collecting tree-related mitigation fees from developers, how and whether the City is enforcing tree-planting conditions on development, how the City is spending tree mitigation funds, and how the City can cost-effectively plant more trees. The audit was completed, and results were presented to Council, on January 10, 2023. The administration agreed with all findings, which aligned closely with the initial roadmap discussed by DOT in the CFMP presentation. Attachment A of this memo contains a status update on the recommendations.

## **ANALYSIS**

The adoption of the CFMP and heightened community interest provided an opportunity for the City to expand its forestry capacity. The plan provides direction for how the community forest could be improved and shepherded into the future. The plan has key themes for the building of a robust urban forestry program that includes:

- Streamlining governance;
- Ensuring the sustainability of the urban forest;
- Support for diversity, equity, inclusion, and belonging;
- Efficient and effective tree management; and
- Standardization of planning and development practices.

### **Streamlining governance**

In the previous CFMP update, it was noted that the Forestry group added five new staff members. As the forestry team has grown, there have been strategic alignments between departments to move closer to centralizing all tree-related responsibilities as recommended in the CFMP. The Forestry team is now working closely with the Planning Building and Code Enforcement Department to ensure Chapter 13 of the Municipal Code and the landscaping and stormwater management component of the Citywide Design Standards is applied to all new developments. Additionally, arborists can provide expertise for private property living tree removal applications.

The forestry team is also working with PRNS staff to increase the population of trees in city parks, conduct a park tree inventory, and share contracts for tree services. To date, the forestry team has been working with PRNS staff to identify planting spaces around parks in the public right of way where trees can be planted, collaborating on project budgets for new parks to ensure funding is available for tree planting, and conducting training to ensure trees are planted with the infrastructure needed to ensure successful establishment. The two departments are developing specifications for tree work to ensure a consistent approach. The park tree inventory is anticipated to be completed by the end of Fiscal Year 2023-2024.

### **Ensuring the sustainability of the urban forest**

To ensure a healthy urban forest in the future, work is happening in two key areas. First, new trees are being planted where tree vacancies exist, and trees have been removed. By the end of the Fiscal Year 2023-2024, 1,421 trees will have been planted in DOT-maintained areas, including medians, spaces between sound walls and streets, and on vacant parcels. In addition, a forecasted 883 trees will have been planted in Parks, leading to approximately 2,304 new trees planted. The Aborn Road planting map is included in Figure 1 below as an example.

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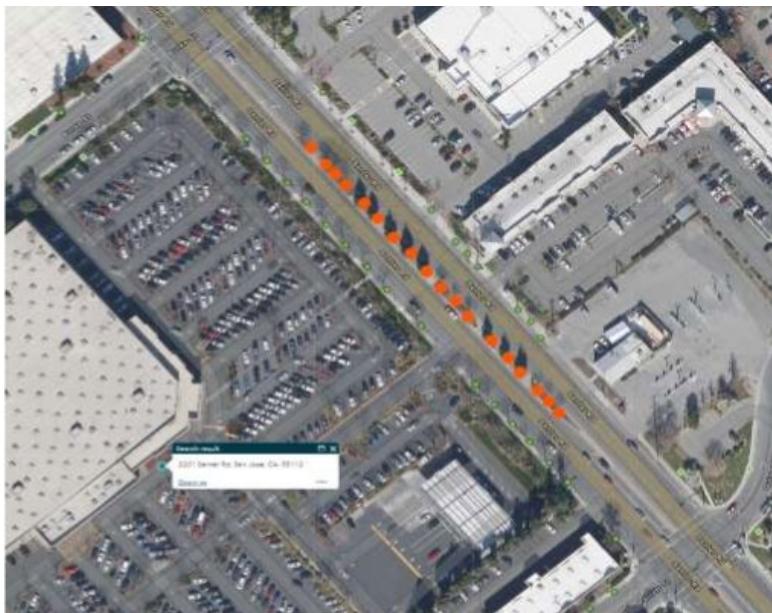
Aborn Rd Planting Map 1 (Ruby Ave to Heritage Valley Dr)

Work Required	Scientific Tree Name	Map Color
Plant 5 15 Gal Trees	Zelkova serrata 'Village Green'	Green
Plant 6 15 Gal Trees	Quercus tomentella	Yellow
Total Trees: 11		



Figure 1. Aborn Road Tree Planting Map

The second area of work is maintaining public trees in the locations noted above. This work includes dead tree removals and pruning. The proactive pruning of 2,088 trees has helped prevent storm damage to the trees and adjacent property. See Figure 2 below for an example pruning map.



*Figure 2. Senter Road Tree Pruning Map*

Looking ahead to Fiscal Year 2024-2025, the forestry team anticipates working with PRNS, non-profit partners, and contractors to plant at least 2,000 new trees. These will be placed in vacancies in the public right of way and other public spaces. Funding allows for tree pruning on a 12-year cycle. To efficiently conduct this maintenance, work is completed in geographic areas across the city, considering an equitable distribution of work city-wide.

### **Support for diversity, equity, inclusion, and belonging**

For the first time, the United States Department of Agriculture Forest Service Urban and Community Forestry Program is awarding \$1.5 billion in grants to communities for forestry-related programs and initiatives. The geographical focus of the awards is to be in the census tracts classified as disadvantaged by the White House's Justice40 initiative. San José has 78 census tracts classified as disadvantaged and has been awarded \$5.6 million to maintain and plant trees. The project will include pruning 5,000 street trees and planting 2,800 new trees over a four-year period, as well as job training for local youth facilitated by the San José Conservation Corps and Charter School. PRNS has also been awarded \$1 million to make Alum Rock Park and Overfelt Gardens Park safer and more resilient through vegetation management and community engagement to decrease the risk of wildfires. Projects include pruning trees, removing dead and invasive trees, and planting native, resilient trees through volunteer opportunities and on-the-job training through the City's Resilience Corps program operated by the San José Conservation Corps and Charter School.

### **Efficient and effective tree management**

A key component of public tree management is maintaining a tree inventory. By the end of this fiscal year, all trees in Parks and 90% of trees maintained by DOT will have been inventoried. An aspect of the grant award is to develop a street tree inventory in the 78 identified

disadvantaged census tracts. The data collected will be analyzed, and extrapolation will be performed to determine the feasibility of DOT taking the responsibility of street tree care away from adjacent property owners.

### **Standardization of planning and development practices**

Before August 2023, the Forestry team's plan and permit application review were not consistently performed. The result was that inappropriate tree species were often chosen, and insufficient infrastructure was provided to support trees to thrive successfully. The Forestry team has been integrated into the PBCE project review and tree selection processes. An arborist is available to PBCE to assist with applications to remove living trees on private property.

Additionally, development plans are being reviewed by the City Forester for compliance with City Codes and Citywide Design Standards. This includes reviewing plant palettes for appropriateness for the specific site and considering the needs based on anticipated climate changes. Mitigation fees are being tracked and enforced.

### **Audit Recommendations**

The 2023 audit of forestry activities resulted in ten recommendations. To date, six of the recommendations have been implemented, with current status updates shown in Attachment B. These recommendations include improving processes for plan review and permit applications, having the DOT Forestry team provide technical expertise to PBCE, and tracking and expending mitigation fees.

Of note and per committee direction, DOT adopted a planting scheme where mitigation fees are tracked by the council district in which they are incurred with 50% of the funding being diverted back to district planting and an additional 50% utilized to plant trees citywide with an equity lens. Predicting when these fees will be available can be challenging, but staff have made significant progress in their tracking processes.

The Forestry team has developed a tracking method for mitigation fees. In six of the ten Council Districts, more than the required 50% of the collected funds have been spent. In the remaining four Council Districts, collected funds remain to be spent to meet the district planting fifty percent target. Overall, \$2,097,083 has been collected from Fiscal Year 2018-2019 to date, and there is a remaining balance of \$823,914.86. During Fiscal Year 2024-2025, focus will be on planting in the Council Districts where the 50% target has not yet been met.

### **New Invasive Pest**

The invasive shot hole borer, a small beetle that burrows into trees and allows a fungus called Fusarium to harm and sometimes kill trees, has been confirmed in the City of San José. DOT is working with the Santa Clara Agriculture Commission, the California Invasive Pest Council, the University of California Agriculture and Natural Resources Agency, University of California Cooperative Extension, and Cal Fire on best practices and a strategy to contain the invasive shot hole borer. In a worst-case scenario, this pest can impact an estimated 69,000 San José street trees, causing a cost to property owners of potentially more than \$19.7 million in tree removal

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costs. See Attachment B for more information on the pest and pathogen. DOT and its partners will prioritize an aggressive response to this new and unexpected challenge.

## **CONCLUSION**

In addition to planting over 2,000 trees per year with its partners, the forestry team has been called to respond to significant storms and manage day-to-day safety hazards and pruning requests, overseen large pruning programs to facilitate paving program success, encountered an invasive pest that poses a risk to the community forest, and secured its largest ever forestry grant to fundamentally change the tree canopy in the City's most disadvantaged communities. In the year ahead, this multi-departmental team will collaborate on more plantings, refine processes, evaluate fees and charges, and execute the first year of its grant while piloting new programs such as a free tree planting initiative. The city is continuing to build a robust forestry program with the help of the Community Forest Advisory Committee, departmental and non-profit partners, and the residents of the City of San José.

## **COORDINATION**

This memorandum has been coordinated with the City Manager's Budget Office, the City Attorney's Office, and the Department of Parks, Recreation, and Neighborhood Services.

/s/

JOHN RISTOW

Director of Transportation

/s/

CHRIS BURTON

Director of PBCE

For questions, please contact Jennifer Seguin, DOT Interim Deputy Director, (408) 794-6453 or Robert Mannford, PBCE Deputy Director, (408) 535-7900.

## **ATTACHMENTS**

Attachment A – Audit Report Recommendations and Status Update

Attachment B – Invasive Shot Hole Borer *Fusarium* Dieback Confirmation