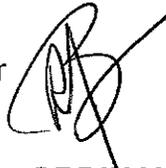


# DEPARTMENT OF REGIONAL PLANNING

February 21, 2017

TO: Department of Regional Planning  
Planning Staff

FROM: Richard J. Bruckner  
Director



## **SUBDIVISION AND ZONING ORDINANCE INTERPRETATION NO. 2017-01 - CLARIFICATION OF EMERGENCY OAK TREE PERMIT EXEMPTIONS**

The purpose of this memo is to clarify Title 22, Planning and Zoning Code, Section 22.56.2070(B), regarding exemptions from Oak Tree Permit requirements in cases of emergency to cover situations where oak trees are being threatened by pests and/or disease.

### Background and Applicability

Title 22, Planning and Zoning Code, Section 22.56.2070(B), currently states:

“Cases of emergency caused by an oak tree being in a hazardous or dangerous condition, or being irretrievably damaged or destroyed through flood, fire, wind or lightning, as determined after visual inspection by a licensed forester with the department of forestry and fire warden;” (an Oak Tree Permit is not required).

Current practice is to have the forester with the department of forestry and fire warden (County Forester) conduct a site inspection to determine that the criteria described above is being met, and issue a one-page explanation describing the nature of why an exemption is appropriate.

Due to drought conditions, and rapid spread of non-native pests, many oaks and native trees in Los Angeles County are dying and threatened by pests and diseases that lead to death. Once infested, there are seldom effective treatments for saving affected trees. Removing infested limbs or even entire trees may be the only sure way of reducing these threats and preventing more widespread infestation.

Interpretation of Section 22.56.2070 (B)

Oak tree removals may be exempt from requiring an Oak Tree Permit when the County Forester has determined that there are "cases of emergency caused by an oak tree being in a hazardous or dangerous condition."

The definition of oak trees being in a "hazardous or dangerous condition" shall be interpreted to include cases in which oak trees have been deemed diseased through verification by the County Forester and a third-party pest expert acceptable to the Department of Regional Planning.

Implementation / Standards

The clarification stated in this memo will authorize the County Forester to issue emergency Oak Tree Permit exemptions to property owners who have requested removal of limbs or entire oak trees due to instances as described above.

Should you have any questions regarding this clarification, please contact Patricia Hachiya, Impact Analysis Section, Advance Planning Division, at (213) 974-6461 or [phachiya@planning.lacounty.gov](mailto:phachiya@planning.lacounty.gov).

RJB:MC:PH:ems

Attachment: Emergency Oak Tree Permit Process

**PROCESS FOR HAZARDOUS AND/OR DISEASED OAK TREE REMOVAL IN UNINCORPORATED LOS ANGELES COUNTY**

As of February 21, 2017, the County Department of Regional Planning is clarifying the process to remove confirmed and verified hazardous and/or diseased oak trees on your property.

Under this process, a dead or diseased oak tree may be removed after the tree has first been:

Deemed hazardous by County Forestry **OR**  
Deemed diseased through sampling or photo analysis by Dr. Akif Eskalen of the University of California, Riverside.

Once this determination has been made, an Emergency Oak Tree Permit by the County Forester will authorize the removal of the subject limb(s) or tree(s).

Step-by Step Process

**1. Determine if there are infested/diseased oak trees on your property.**

Look for swarms of bees, wasps and ants, as they are often the first sign of infestation, being attracted to the sap oozing from trunks and limbs of infested trees. Take a really close look at your tree's trunk, branches and canopy. If you see multiple entry-holes accompanied by foamy white blobs, staining and bleeding, or branch dieback, take photos of the suspect tree from several distances, showing both close ups of the symptoms and the overall condition of the tree, and send them along with a description to the Eskalen lab at University of California Riverside. For handouts with photos of what to look for and more information visit <http://eskalenlab.ucr.edu/pshb.html> or <http://ucanr.edu/sites/pshb/>.

When in doubt, it is best to send a photo to the Eskalen lab first, and they can then determine if sampling is needed.

**2. If there are infested/diseased trees, determine the proper course of treatment.**

Once a tree has been determined to be infested/diseased, the property owner should decide how to proceed. The Eskalen lab website provides a decision chart to guide you in what to do next. The range of options range from cutting limbs to removing the entire tree.

LINK: <http://eskalenlab.ucr.edu/handouts/prioritizingmanagementefforts.pdf>

**3. If it is necessary to remove a limb or oak tree due to hazardous and/diseased conditions, request an Emergency Oak Tree Permit.**

If you believe your tree is in a hazardous situation (i.e. posing an immediate threat to the safety of people or property) and/or diseased condition, call the Los Angeles County Forester at (323) 890-5719 and request that they send a representative to your property to inspect and tag the hazardous/diseased tree. If the County Forester determines that the tree is in hazardous situation and/or have verification from the Eskalen lab that the tree is diseased, they will issue an emergency oak tree permit. No further County approval is required.

If you removed the tree due to disease, you are required to submit evidence of disease (email from Dr. Eskalen or other documentation) and removal (photographs, receipts, etc.) to the Department of Regional Planning, Impact Analysis Section at 320 W. Temple Street, Los Angeles, CA 90012 or [impactanalysis@planning.lacounty.gov](mailto:impactanalysis@planning.lacounty.gov). We also recommend that you discuss with the County Forester where it might be appropriate to replant trees to mitigate for the removals.

**4. After removal of a hazardous/diseased tree or limbs, properly dispose of the wood.**

It is very important that the diseased wood be properly disposed of, in order to prevent further spread of the insects/disease. Some infested wood needs to be chipped and solarized on-site for a certain length of time; other types of infestation can be removed to a landfill or commercial compost facility. Remember that transporting intact pieces of cut wood is only likely to spread the insects/disease farther and more rapidly. Whenever dealing with tree pests, make sure you DO NOT USE OR SELL the wood for firewood or other uses as it will spread the problem.

**5. The County encourages planting of replacement trees. Free oak tree seedlings may be obtained from the County Forester.**

The County recommends that your replacement seedlings be one gallon in size and the same species that you removed. The County's Forestry Nursery (Malibu Forestry Unit) provides free oak tree seedlings. It is located at 942 N. Las Virgenes Road Calabasas, CA 91302-2137. Call (818) 222-1108 to make an appointment to pick them up.

No trees from outside of Los Angeles County shall be used as replacement trees.

## FREQUENTLY ASKED QUESTIONS

**Q: Will the County assist with the removal of hazardous/diseased trees on my property?**

A: This streamlined process makes it easier for Los Angeles County unincorporated area land owners to get approval to remove hazardous/diseased trees, but the County does not assist with the actual removal of the trees. The property owner is responsible for tree or limb removal (at your own risk). A licensed contractor may be hired to remove the trees after obtaining an Emergency Oak Tree Permit.

**Q: Can I remove a healthy oak tree through this process?**

A: **No.** Only hazardous oak trees tagged by the County Forester, or diseased oak trees verified by Dr. Eskalen's lab sampling are eligible for removal under this process of the Emergency Oak Tree Permit. It is a violation of our zoning code to remove healthy oak branches or trees that are not posing a risk to life or property cannot be removed unless they are associated with an approved and valid oak tree permit or coastal development permit.