

Folsom City Council Staff Report

MEETING DATE:	9/12/2023
AGENDA SECTION:	New Business
SUBJECT:	Landmark Tree Update – Urban Forester Recommendations to Establish Two New Landmark Grove Designations
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Initiate the 30-day noticing period to commence the process of designating a landmark grove at the Folsom State Prison property at 300 Prison Road and, barring any appeals, adopt a resolution at the October 24, 2023, City Council meeting to establish a landmark grove at the Folsom Prison property at 300 Prison Road.

Allow staff to continue exploring possibilities and develop parameters for the potential establishment one or more landmark groves along the Oak Parkway Trail corridor and return to City Council with a recommendation at a future date.

BACKGROUND / ISSUE

Trees are both community and environmental assets, unique in their ability to provide a multitude of benefits that appreciate over time. Longstanding trees contribute to the City of Folsom’s character and “Distinctive by Nature” adage. One of the ways in which the City of Folsom shows recognition for particularly noteworthy specimens is through a landmark tree Registry. Landmark trees are trees that have been designated by the City Council as exceptional due to outstanding characteristics, special ecological contributions, or historical importance.

In 2022, the City’s landmark tree program was resurrected when an interior live oak on the CAISO property became the first tree to be designated a landmark tree in over two decades. Since then, two more resolutions for landmark trees have been adopted by the City Council, which have continued to support the ongoing effort to revitalize the landmark tree program.

Recently, interest has piqued for the potential inclusion of groves into the landmark tree registry, specifically those located along the Oak Parkway Trail corridor as well as on Folsom State Prison property.



Aerial image of the Folsom State Prison property. The oak woodlands are concentrated into a western grove (218 canopy acres) and eastern grove (94 canopy acres).



Aerial image of the Oak Parkway Trail Corridor. Oak canopy is sporadic along the trail.

POLICY / RULE

Section 12.16.170 of the Folsom Municipal Code gives a private property owner or interested party the right to submit an application to the Community Development Department, requesting that the City Council establish by resolution a tree or group of trees as a landmark tree(s). In order to designate a tree as a landmark tree, the City Council must find that the tree is a significant community benefit because it possesses one or more of the following attributes:

- 1) historical value,
- 2) outstanding habitat value,
- 3) unusual species, or
- 4) superior beauty.

The City Council, on its own motion and without the payment of the application fee, may also commence the process of designating a landmark tree. If the owner of the proposed landmark tree is not the applicant, the Community Development Department shall notify, by first-class mail, the owner of the proposed landmark tree 30 days before the hearing of the application. The owner must provide written confirmation to the City that they support the application.

Section 12.16.170 of the Folsom Municipal Code (FMC) further specifies that, upon the request of a property owner, the city arborist may arrange for a landmark tree to be inspected and a report prepared which assesses the tree's health and provides recommendations for maintenance. Section 12.16.160 grants utilization of the Tree Planting and Replacement Fund for maintenance of landmark trees at the recommendation of the Urban Forester.

ANALYSIS

Native oaks over six inches in diameter at standard height (54" above grade) are protected under Chapter 12.16 but are not required to receive regular inspections or care in Folsom. However, Section 12.16.170(B) of the FMC allows for landmark trees to receive annual evaluations by the Urban Forester upon the request of the property owner as well as maintenance services if the Urban Forester deems such actions appropriate. In the case of groves, maintenance and monitoring by the Urban Forester under the landmark tree program is administered through a holistic approach, with a focus on habitat and historical conservation.

At the request of City Council, staff have engaged with representatives of the Folsom State Prison in recent months to bring attention to the remarkable canopy of oak woodlands on their property and to inform them of the city's landmark tree registry, the benefits of owning a landmark tree, and the process for garnering a formal approval for the landmark tree designation. Warden Tracy Johnson and Correctional Lieutenant Chad Deal have both expressed enthusiasm for the landmark tree program and were receptive to the idea of including the oak groves on the Folsom Prison property onto the landmark tree registry.

With City Council support as well as activism from the advocacy group Friends of Folsom Parkways, staff have also been examining the Oak Parkway Trail Corridor (OPTC) for potential grove candidates to incorporate into the landmark tree registry. As part of this evaluation, reasonable and mutually beneficial parameters between the city and Pacific Gas and Electric Company (PG&E), must be considered due the utility easements and high voltage transmission infrastructure that exists within the corridor. PG&E's electric transmission vegetation maintenance program (ETVM) involves ongoing inspections of the corridor to identify potential conflicts between trees and utility lines with annual work prescriptions entailing the pruning and removal of trees to comply with state and federal laws. As part of PG&E's ETVM process, city staff are notified of the annual work scope and provided an opportunity to review and express any concerns. If staff disagree with the proposed work, a site meeting is arranged between both parties to discuss potential modifications and/or compromises to the work prescription. Each year, the final work scope includes the removal and pruning of several of oak trees located directly under the utility lines that have grown tall enough to trigger a conflict. This unique and multifactorial circumstance involving utility easements, maintenance rights issues, and federal regulations for vegetation management creates complicating factors in the context of a landmark grove designation.

Staff's current assessment of the applicability for each of the four findings in Section 12.16.170(A)(2) to both the Folsom Prison Grove and the Oak Parkway Trail Corridor is summarized below:

Historical Value

'Historical value' is a clear factor to consider for the oak woodlands that surround the Folsom Prison, which began construction in 1878 and received its first inmates in 1880. Intermingled within the cumulative 250 acres of the woodland are several specimens older than the prison itself with trunk diameters well beyond the qualifying measurement required to achieve Heritage Tree status. The Warden agrees that the groves on the Folsom Prison property are an historical monument worthy of celebration.

The OPTC is a two-mile-long stretch of low-lying grassland with interspersed stands of native oak trees through which a bicycle and pedestrian pathway meanders. The trail itself is only a few decades old. However, several trees along the corridor are significant in both size and age, a few of which likely in excess of 150 years old.

Outstanding Habitat Value

On July 11, 2023, the Urban Forester was granted a site tour of the Folsom Prison property to see the groves up close and ascertain their candidacy for landmark status. During the tour, several deer and raptors were encountered. Correctional Lieutenant Chad Deal also shared that an ongoing study by the University of California is underway to track the movements of a bobcat that makes its home within the grove.

The species distribution of the Folsom Prison groves is primarily blue oak (*Quercus douglasii*) with interior live oak (*Quercus wislizeni*) interspersed throughout. Other tree species noted during the site visit included natives such as California buckeye (*Aesculus californica*),

elderberry (*Sambucus spp.*), and several species of willow (*Salix spp.*). These species are great food sources, nesting sites, and shelter for avifauna and small native mammals. Additionally, the trees within the groves are host species to several beneficial butterfly species such as California Sister (*Adelpha bredowii californica*), Dusky-Wing species (*Erynnis*), and Gold-Hunter's Hairstreak (*Satyrrium auretteorum*), which play key roles as pollinators in the greater Sacramento region.

Similar to the Folsom Prison groves, the species distribution of trees along the OPTC is primarily blue oak and interior live oak as well as native willows. Of note within the OPTC, however, are also some intermingled valley oaks (including a noteworthy ~48" specimen on the east half of the trail) as well as a very small handful of young oracle oaks (*Quercus x morehus*), which sport a similar host of beneficial pollinating insects and also serves as a potential stopover foraging habitat to neotropical migrant bird species like the black-throated gray warbler (*Setophaga nigrescens*) and the yellow warbler (*Setophaga petechia*).

Unusual Species

The species observed on the Folsom Prison property during the July 11th tour are common species in Folsom.

Oracle oak (*Quercus x morehus*), the presence of which has been documented along the OPTC, is a rare naturally occurring hybrid between the interior live oak and the California black oak (*Quercus kelloggii*), which is generally found in the California foothills and northern coastal ranges.

Superior Beauty

Regardless of any formal designation on a registry, the prison's 250 acres of oak woodland that blanket the ridge along E Natoma Street embody Folsom's 'Distinctive by Nature' adage and stand as an unofficial natural landmark of the city.

The Oak Parkway Trail Corridor is difficult to assess as it is not a singular grove, but rather a two-mile stretch of low-lying vegetation with intermittent stands of brush and trees. A few of these stands contain very handsome native oak specimens which, when considered apart from the corridor as a whole, are quite lovely and potentially meet the finding for *Superior Beauty* under Section 12.16.170(A)(2).



A view of the prison's east grove from Folsom Lake Crossing on an overcast day.



A view of one of the more significant oak stands along the OPTC near the Hancock Dr entry

CONCLUSION

Given the attributes summarized herein of the two subject candidates, the Urban Forester has determined that the findings for a Landmark Grove designation have been met for the oak woodlands on the Folsom Prison property, but that additional examination of the unique characteristics of the Oak Parkway Trail Corridor with regard to stake holder rights and identifying appropriate parameters for defining a “grove” within the context of this unique stretch of land is needed in order to move forward on a recommendation.

As such, staff recommends that the City Council initiate the 30-day noticing period to commence the process of designating a landmark grove at the Folsom State Prison property at 300 Prison Road and, barring any appeals, adopt a resolution at the October 24, 2023, City Council meeting to establish a landmark grove at the Folsom Prison property at 300 Prison Road. Staff also recommends that the City Council allow staff to continue to explore possibilities and develop parameters for the potential establishment of one or more landmark trees or groves along the Oak Parkway Trail corridor and return to City Council with a recommendation at a future date.

FINANCIAL IMPACT

The current application fee for establishing a landmark tree designation is \$280.00. By initiating the process for establishing landmark tree designations on behalf of private property owners, the city would waive this application fee.

Upon the request of the property owner, the Urban Forester may inspect a landmark tree and prepare a report on the health and recommendations for necessary maintenance. Maintenance activities for landmark trees are funded by the City’s Tree Planting and Replacement fund in accordance with FMC 12.16.160.

ENVIRONMENTAL REVIEW

Landmark tree Classification is an administrative action and not considered a project under the California Environment Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3). As a result, the action is exempt from environmental review.

ATTACHMENTS

1. Current Landmark Tree Map

Submitted,

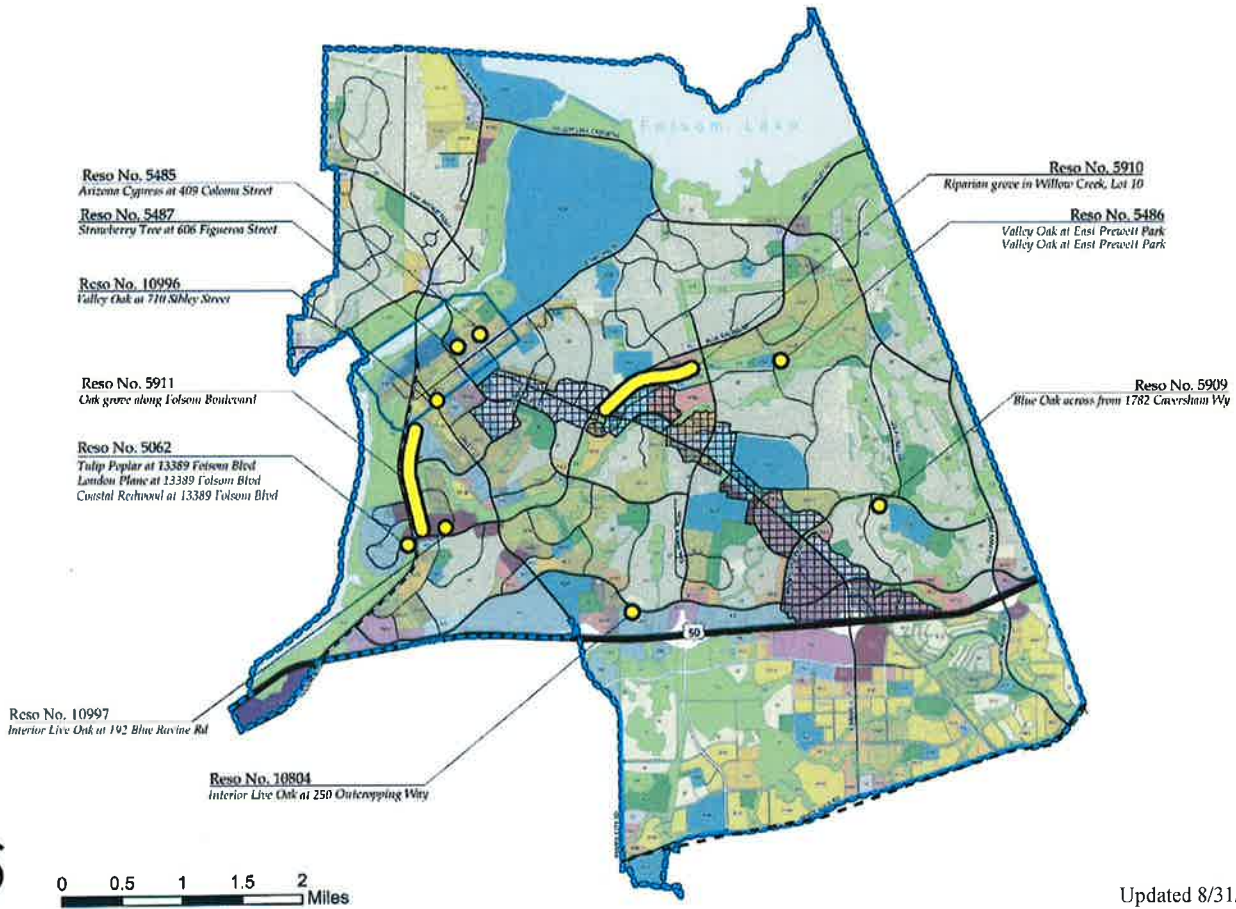


PAM JOHNS
Community Development Director

ATTACHMENT 1

CURRENT LANDMARK TREE MAP

Folsom Landmark Tree Map



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to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE