

Published June 10th, 2020

## Nearly 80 trees slated for removal on St. Mary's Road: council powerless to intervene

By Pippa Fisher



PG&E work began June 1, with tree removal planned to start the week of June 15. Photo Pippa Fisher

The city council recognized with expressed frustration, their powerlessness to regulate Pacific Gas and Electric Co.'s enhanced vegetation management along St. Mary's Road in Lafayette ahead of the utility's planned work this summer, which will include the removal of 79 trees on both city-owned and privately-owned land.

Work started on the gas transmission pipeline June 1, and a portion of St. Mary's Road will be closed Monday through Friday, from 7 a.m. to 6 p.m. through Aug. 14. The tree removal is scheduled to begin the week of June 15. "None of us want this to go the way it's going," said Vice Mayor Susan Candell at the May 26 council meeting.

City attorney Mala Subramanian explained that the city's own tree ordinance rules are preempted by the California Public Utilities Commission General Order 95 and so this work is outside local control.

Based on this preemption, the city cannot require PG&E to provide arborist reports, which are generally required under the ordinance. While the city has requested this information, PG&E has so far declined to provide it.

To minimize impact to the community the EVM program work will be happening in conjunction with work to install 450 feet of new gas pipeline across the bridge south of South Lucille Lane, completing a capacity expansion project from two years ago, and system hardening, consisting of pole and wire replacement along St. Mary's Road.

But it is the tree removal that has prompted pages of letters and comments to the council over the past couple of months.

On April 13 PG&E Manager of Integrated Public Affairs Marcos Montes presented to the council, covering all aspects of the work. Montes explained that the EVM work addresses vegetation that poses a high potential for wildfire risk. Trees are assessed for safety under a tree assessment tool, which evaluates several factors to determine the overall health of the tree and possible danger.

Following the May 26 city council meeting the city put out statements on social media and through its weekly newsletter noting that, "Even if exempted from the ordinance, PG&E must comply with GO 95 when conducting tree trimming for electric facilities." These rules require a 4 foot separation with a recommendation for 12 feet at the time of trimming for most electric facilities in high fire risk areas.

The utility held a community workshop virtual presentation May 28. Three members of the team answered questions on all three projects, but once again most of the questions concerned the tree cutting, with emailed-in comments asking why tree information was denied to the city, and posing questions about the qualifications of the contractors who worked on the tree assessment. PG&E Senior Vegetation Program Manager Matt McLane, who is an arborist, replied that their contractors are mostly certified, and that he also looked at all the trees and agreed with the assessments.

The answer didn't satisfy Save Lafayette Trees/Gas Safety Task Force Member Michael Dawson. "It appears they used contractors-in-training and realize the tree information would be used against them. It's clear PG&E can't stand behind the information that determines the removal of 141 trees," he said, referring also to further tree removal that is planned under the EVM program on Moraga Road. "So unfortunately some healthy iconic oak trees will be unnecessarily cut down due to PG&E's sloppy implementation."

Dawson says that since each tree lies outside of the CPUC mandated 4-foot clearance, PG&E must receive permission from the landowners before removing. "I urge every homeowner to meet with PG&E to review the rationale for tree removal," says Dawson. "Outside of the 4-foot clearance, property owners have a right to request PG&E leave their trees alone or ask for trees limbs to be pruned instead."

Dawson is concerned that PG&E hasn't received permission from each landowner since the property lines along St. Mary's Road are unmarked and ambiguous as to who owns which tree.

PG&E Spokesperson Tamar Sarkissian notes, "The safety of our customers and the communities we serve is

our most important responsibility."

"We don't dispute dangerous trees should be removed, but PG&E seems to be under-investing in system hardening, and haphazardly cutting too many trees without working with the city," said Dawson.

Reach the reporter at: [pippa@lamorindaweekly.com](mailto:pippa@lamorindaweekly.com)

[back](#)

Copyright © Lamorinda Weekly, Moraga CA