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Complaint filed in attempt to save targeted trees in Lafayette

By Pippa Fisher



Trees at risk at the Lafayette Reservoir. Photo provided

However Save Lafayette Trees does not believe the removal of the trees is needed for safety and argues furthermore that removing the trees would eliminate natural habitat, destabilize slope structure, reduce shade along trails and change the semi-rural feel of the city.

As a result of initial pushback from residents, PG&E agreed to delay the start of the tree removal and agreed to come back for another presentation before the city council at the end of the summer. They held pop-up discussion opportunities alongside the Lafayette-Moraga Trail and at the Lafayette Reservoir to answer questions from residents.

In a letter dated June 7 from the city to PG&E, Mayor Mike Anderson set out expectations that there will be clear answers provided to all concerns prior to the company coming back before the city council.

Anderson also required that PG&E submit a site plan with property lines showing trees proposed for removal and a mitigation plan showing location of trees to be planted, signed by the property owner. On city property he said that PG&E must work with the city to prepare an acceptable restoration plan that maintains aesthetics.

Now Save Lafayette Trees, headed by Lafayette residents Michael Dawson and David Kosters, has hired Berkeley-based environmental lawyer Stephan Volker and set up a Go-Fund Me to help with costs.

Dawson says that filing this petition was not their first choice of action. "In fact, we made every attempt possible to convince the city to reverse the agreement on their own by meeting with them and providing many pages of research documents. We pointed out that PG&E's own study concludes pipeline integrity is not impacted by tree roots. Three first-responders stated that trees don't impede their emergency response in a pipeline emergency."

"What did the city decide to do? Simply pass along the message to us that PG&E would delay their cutting to late summer. It seems inevitable that trees will be removed, despite our help and the public's outcry, so we have no choice but to pursue our lawsuit."

Dawson says he is hopeful that the court will see the city sidestepped important environmental reviews. Additionally he says, "Our hope is that not only will these trees remain standing, but we'll also help call attention to the true safety measures PG&E should be prioritizing, such as conducting state-of-the-art inspections and adding automatic safety valves in our neighborhoods."

He says that PG&E should also fix the four-foot length of exposed pipeline along the Lafayette-Moraga Trail. "Since PG&E rolled out this 'community' project across the state, we want to ensure they are paying attention to our unique community pipeline safety concerns, some of which mirror factors that were seen as negligible in managing prior to the San Bruno tragedy."

PG&E Spokesperson Jeff Smith said, "We have received the lawsuit and are reviewing it."

"Our Community Pipeline Safety Initiative is about keeping our customers, our workforce and our communities safe." Smith continued, "Safety remains our top priority and we're committed to working collaboratively with all stakeholders to address any potential concerns about this important safety program."

Lafayette City Manager Steve Falk commented, "I was surprised to see the lawsuit, but remain hopeful that the parties can work cooperatively outside of the courtroom to develop a pipeline safety solution that is acceptable to everyone."

The group known as Save Lafayette Trees has filed a complaint in court demanding the reversal of a tree-cutting agreement in order to protect 272 trees deemed at risk from PG&E chainsaws.

The complaint was filed in Contra Costa Superior Court against the City of Lafayette and PG&E on June 26.

Save Lafayette Trees claims, "Not only did the city fail to notify residents of the plans to circumvent their own tree protection ordinance, both the city and PG&E bypassed very important environmental review regulations, including the California Environmental Quality Act."

The growing group of residents formed the organization after learning of the city's March 27 agreement with PG&E to remove 272 trees. The utility company deems the removal necessary to ensure the safety of the high transmission gas pipelines under its Community Pipeline Safety Initiative.

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