Appeal Regarding the Urban Forester's decision on the removal of a Cottonwood tree

20" Tree Located in the Right of Way on Crown Ct, Austin TX

INTENDED PURPOSE OF APPEAL:

- To communicate and demonstrate the serious issues that these trees cause to the City and property owners of Crown Ct.
- To demonstrate that removal of this tree is necessary and warranted.
- To seek a modified opinion on the removal of this 20” Cottonwood tree.

SUBJECT TREE & LOCATION – Crown Ct, Austin TX

Background Information on Cottonwood Trees

- It is well documented that cottonwood trees are hazardous trees that are prone to rot from the inside out, with no visible signs of this decay on the outside of the tree. Trunk analysis is necessary to determine the extent of decay.
- Their roots are known to damage pipes and other infrastructure.
- Their “cotton fuzz” seeds are a serious fire hazard and nuisance for municipalities and property owners.
- Hundreds, if not thousands, of municipalities in the US have banned these trees for the above reasons.

“The Dirt Doctor” Article on Cottonwood Trees:

- The author, Howard Garret is:
- Nationally syndicated Organic Gardening talk show host
- Arborist and specialist in natural organic tree care
- Columnist for the Dallas Morning News
- Author of 15 books on organic gardening, landscaping and pest control
- Chairman of Texas Organic Research Center (TORC)
- Organic Advisory Board Texas Department of Agriculture
- https://www.dirtdoctor.com/garden/Cottonwood_vq924.htm

The Dirt Doctor – Cottonwood Trees

- **FINAL SPACING**: Do not plant
- **IDENTIFICATION INFORMATION**: Cottonwood is a very fast growing, upright messy tree. It sends out cotton all over the place in the spring, has brittle wood and it has large limbs. Its root system is extremely shallow, ravenous and destructive. It normally will have quite a bit of dead wood in the tree.
- **PROBLEMS**: Cottonwood is short lived, has a destructive root system and the cottony seed from the female plant is a nuisance and damaging to electrical appliances. Stressed trees are commonly attacked by borers. The root system is susceptible to cotton root rot and other root diseases. This is a dangerous tree because large limbs or the entire tree can fall on cars, structures and even people. This is one tree that should be removed from most residential property.

Southern Living Article on Cottonwoods:

- **6 Trees You Should Never, Ever Plant**
- **Terrible Tree #4 -- Eastern Cottonwood (Populus deltoides)**
- What's wrong with it: Extremely messy, very weedy, breaks up in storms, short-lived, very prone to insects and diseases, roots crack pavement and invade water lines.
- Comment: As with hackberry, most people saddled with this garbage tree live with it because no other trees will grow there. I can't think of a messier tree. In addition to the sticks, twigs, broken branches, and leaves that shower down almost every day, it also blankets the yard around it in early summer with cottony seeds -- hence, the name "cottonwood." The cotton rolls up into lumpy pillows of foam that roll across the ground and pile up against houses, walls, and fences. The only good use for this nasty tree is as firewood. Burn one today!
- https://www.southernliving.com/garden/grumpy-gardener/6-trees-you-should-never-ever-plant

Trees That Can Be Planted Over Water Pipes

By Angela Ryczkowski Updated December 14, 2018

- Trees are usually prized elements in a landscape, but a sprawling root system may sometimes pose a threat to sidewalks, buried utilities and other features, including water pipes. Most sound pipes are able to withstand some amount of contact with tree roots. However, roots may penetrate or damage water pipes when the pipes are perforated drain pipes or are old, or the tree has a particularly strong, aggressive root system. Choosing a suitable tree species or cultivar and preparing the site well helps to protect water pipes.

- *Trees to Avoid*

- Certain trees should never be planted near water lines, as they are often fast-growing with particularly aggressive roots. Many species in the Acer (maple) genus, Populus species, ashes, sycamore, several oaks, willows, basswood, tuliptree, elms, birches, mulberry, figs, large eucalyptus and beeches are unsuitable for planting near water pipes and other underground or surface structures.

- **Cottonwood Trees are in the Populus species**

- https://homeguides.sfgate.com/trees-can-planted-over-water-pipes-28358.html

Zillow Article on Cottonwood Trees: Don't Plant These Trees in Your Urban Yard

By Mary Boone on 8 May 2013

While it's true that many trees can add beauty, privacy and shade to your property, others have the potential to wreak havoc thanks to invasive root systems, prickly thorns, messy fruit or weak branches. Choosing the best tree for your urban backyard is a tough decision. Make a bad choice, and remorse will be yours for years to come.

- When you're thinking about the perfect tree for your urban lawn, here are a few that you probably should avoid:
- **Cottonwood (Populus)**
- These trees are generally so weak and unstable that even mild storms can cause branch failures. While the trees' invasive root systems and branch shedding habits can be beneficial in rural and forested settings, they're not a great choice in urban areas. Their size is often overwhelming, they give off a urine-like scent, and their fast-spreading root systems can crack foundations and sidewalks. Cottonwood trees have been banned from planting within many U.S. neighborhoods and cities because the "cotton" from them clogs filters and is generally untidy.
- https://www.zillow.com/blog/dont-plant-these-trees-in-your-urban-yard-118479/

What Complications Arise from Cottonwood Trees?

Joshua Wilke | July 1, 2019

Cottonwoods are a trouble-making tree for many reasons. They have those irritating seeds that float into every nook and cranny, and sticky buds that fall off everywhere. These buds are troublesome to get off of cars and will stain carpets yellow if tracked inside.

Even though they can practically grow all over the United States and in many environments, cottonwoods are not as resilient as they seem. They are a fast-growing species. In fact, they are the fastest growing trees in North America, growing 6 feet or more in height per year. This puts them at risk for having weaker, more porous wood than other types of trees. They have a propensity to be penetrated by infestations, to rot, and to break more easily. Because their weak wood is more likely than other trees to be diseased, rotten, or bug infested, they are more likely to die, break, and fall. The summer season is especially dangerous as it is a time when cottonwoods are growing too fast for their own good, thus making them more vulnerable to breakage.

Because they grow so easily and quickly in many places, their root systems are likely to spread where they shouldn't and tear underground things, like pipes, apart. They also are a major culprit in the destruction of wetlands and retaining ponds.

https://www.skyhightreeremoval.com/2019/07/01/what-complications-arise-from-cottonwood-trees/

Are Cottonwood Trees Illegal to Plant In Denver?

by Jon Cook / October 1, 2018 / Tree Maintenance

This may surprise you, but cottonwoods have been outlawed in much of the Denver metro area for the greater part of the past ten years. So, why is it illegal to plant cottonwoods in Denver? Because they are a massive and invasive tree species, and they have a habit of wanting to share your living space and even your utilities.

Cottonwoods are part of the populus tree species, the same species family as aspens. If you're familiar at all with aspens, then you know that an entire mountainside of aspens may, in fact, be only one tree that branched out, sprouted up, and continued growing. It's because aspens and cottonwoods are highly invasive in their surrounding areas. While some trees have a taproot (one main root that grows straight down), cottonwoods and aspens grow a wide range of roots that have a voracious appetite for water.

This all sounds well and good until someone plants a cottonwood tree in a front yard less than 20 feet away from the main water supply. Within a matter of years, a normal cottonwood will quickly find and break into the water supply ductwork. This means massive cleanup on the behalf of the homeowner, not to mention the financial cost of repairs and the hassle of a messy front yard.

And, it can get worse, because it's not just incoming water sources that cottonwoods love. They search for any 'liquid', water-type source, so your outgoing sewer line is often just as easily the victim of thirsty cottonwoods. That's when you end up in deep 'stuff', as well as having the same type of problem as before but with a horrible smell.

Cottonwoods also have incredibly strong root systems, which serves them well for longevity and poses another threat to homeowners. Cottonwoods planted too close to structures, namely basement walls and garage foundations, will break through the concrete walls over time. You may love having a big basement, but no basement is meant to have a cottonwood as a live-in guest.

This is why cottonwood trees are largely illegal to plant in the Denver metro area. Homeowners, HOAs, city officials, and repair crews are tired of cleaning up after cottonwoods. However, if you have a significant amount of property, you may still consider planting a cottonwood. We highly recommend checking with your local forestry service, HOA, and/or city authorities to see if cottonwoods are permissible for new plants.

https://fieldingtreeandshrubcare.com/homeowners-guide-taking-care-cottonwood-trees-denver/

Municipalities identified that have banned Cottonwood Trees: (Not an exhaustive list)

- **Madison,WI**
- **Denver,CO**
- **Windsor, CO**
- **Lone Tree, CO**
- **Oklahoma City, OK**
- **Winnemucca, NV**
- **Albuquerque, NM**
- **Beloit, WI**
- **Franklin, WI**
- **Mukwonago, WI**
- **Reno, NV - ROW banned**
- **Clinton, IA - ROW banned**

Municipalities that have banned Cottonwood Trees (Cont'd):

- **Madison,WI** - **Madison ordinance number 23.27**: "Cotton bearing poplar trees restricted. No person shall sell or plant any female cotton bearing tree of the poplar family commonly called the Eastern Cottonwood, Populus deltoides, and the White Poplar, Populus alba, within the boundaries of the City of Madison."

- **Windsor, CO - Charter and Municipal Code, Chapter 7 - Health, Sanitation and Animals, Article IV - Trees, Section 7-4-10. - Cotton-bearing cottonwood trees.**

(a) It shall be unlawful for any person to sell, plant, transplant, keep or maintain any cotton-bearing cottonwood trees in the Town.

(c) For purposes of the enforcement of the ordinance codified herein, the Town declares cotton-bearing cottonwood trees to be a nuisance and subject to the provisions of this Code with regard to the abatement of nuisances.

Municipalities that have banned Cottonwood Trees (Cont'd):

- **Oklahoma City, OK - ordinance chapter 53 - Trees & Shrubs, 53-5 - Certain Trees Prohibited** "No person shall plant or permit the planting of black locust, seed-bearing female cottonwood, or any other tree condemned by the Director of Parks and Recreation for the purpose of protecting the public health or to prevent destruction of other plants by spread of disease. The male non-seed-bearing cottonwood tree is specifically excepted from the provisions of this section. The Director shall prepare a list of condemned trees and file it with the City Clerk. "

Texas Municipalities that have exempted Cottonwood Trees from protection:

- ***Coppell -*** means any living tree species, six inches DBH or larger, which is not on the "unprotected tree list" that shall be subject to the preservation, protection, and replanting requirements of article 34, division 2.
- ***Duncanville -*** any tree having a caliper of six inches or more that is not one of the following: mesquite, bois d'arc, thorny honey locust, hackberry, cottonwood, cedar, china-berry (common), native black willow, and native red/white mulberry.

Texas Municipalities that have exempted Cottonwood Trees from protection:

- ***Frisco -*** trees that meet one of the following requirements and determined to be healthy by the Director of Planning or his/her designee: Any tree eight (8") inches or larger in diameter when measured at a point four and one-half feet (4’ 6”) above the ground level and which normally attains a height of at least twelve (12’) feet at maturity, and located within the Protected Area; A tree(s) 20.1 caliper inches and larger; A Stand of Trees. The following trees shall not be included in the above definition of Protected Trees: Silver Leaf Maple, Sugarberry, Honey Locust, Bois d’ Arc, Mimosa, Mulberry, White Poplar, Cottonwood, Mesquite, and Willow.

Texas Municipalities that have exempted Cottonwood Trees from protection:

- ***Helotes -*** trees having a nominal caliper of 12 inches or, if branched below four and one-half feet, measured at the narrowest trunk segment between the lowest branch and the natural grade. All species of woody plants attaining a mature height over 15 feet and meeting the nominal caliper of 12 inches requirement are "mature trees" for the purposes of this article, except those listed immediately hereafter as not protected. The following genus or species are not protected: Ash juniper, Cottonwood, Sycamore, Hackberry, Mulberry, Chinaberry, Boxelder, Chinese Tallow, Mesquite, and Huisache.

Texas Municipalities that have exempted Cottonwood Trees from protection:

- ***Rowlett -*** means a tree the trunk of which has a DBH of eight inches (approximate 25-inch circumference), that is not one of the following trees: Tree of Heaven, Mimosa or Silk tree, Sugarberry, Horse apple/Bois D'Arc, Chinaberry, Black Willow, Chinese Tallow, Siberian Elm, Cotton Wood, Hackberry (11-inch DBH or smaller), Lotus (Buckthorn Family).
- Many other Texas municipalities have tree protection ordinances that have lists of “protected” species or lists of “unprotected” species. Cottonwoods are typically not protected due to the issues they cause and their lack of deisrability.

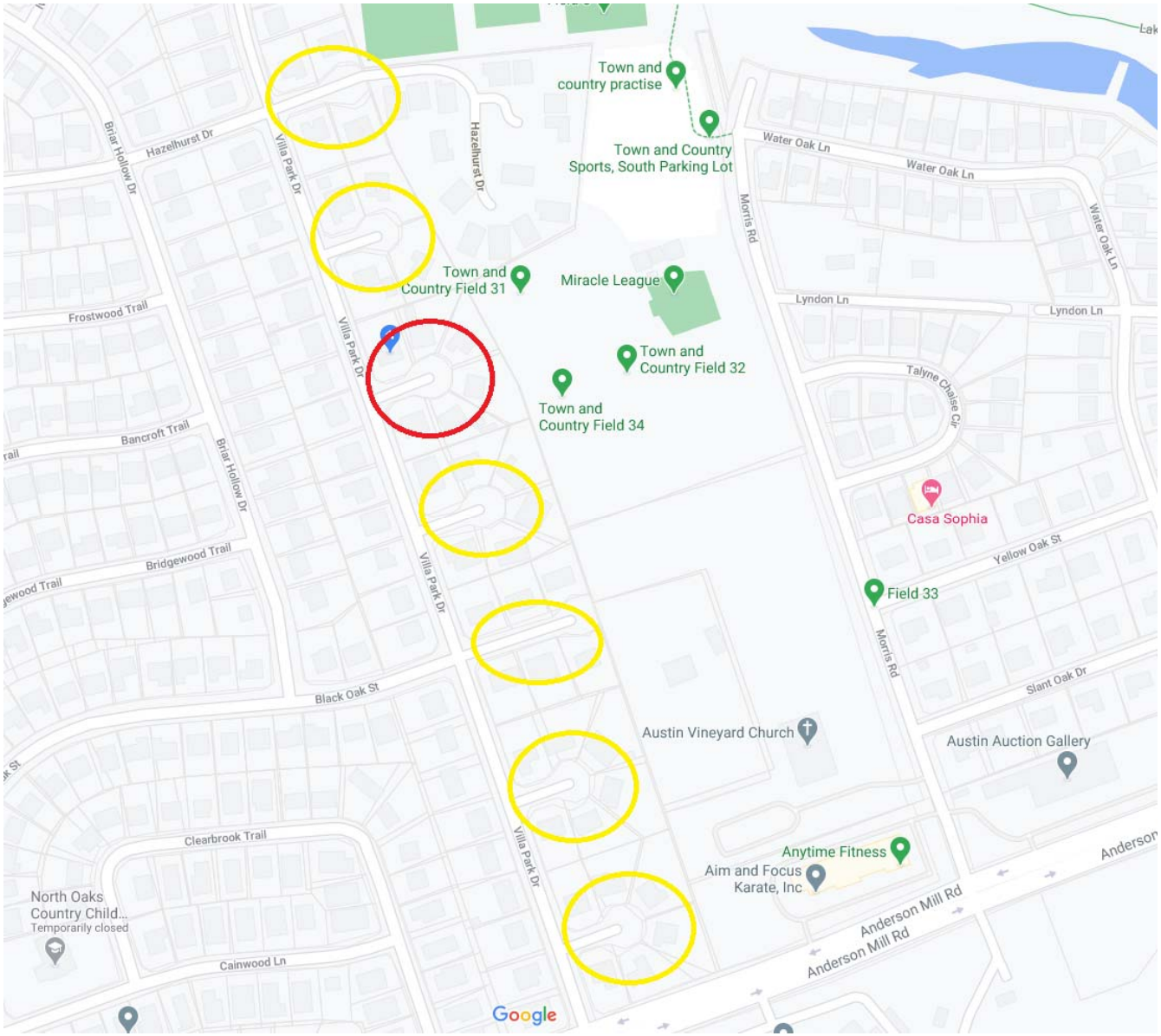
FACTS related to Cottonwood Trees:

- Fast-growing, brittle wood, prone to rot and decay. Entire trees and large branches are prone to fall.
- Aggressive roots destroy City water mains and property owners' water pipes.
- Cotton Fuzz – excessive amounts of fuzz are produced and blanket adjacent properties. The fuzz is an extreme fire hazard, clogs A/C units, and is otherwise a general nuisance that prevents the reasonable use of property.
- The City of Austin and adjacent property owners in Crown Ct have all of these problems with the subject trees.

DAMAGE TO PIPES:

- Michael Alvis, from Austin Water, provided repair details for water main repairs from 2000-2020. The City of Austin incurred over $61,000 in water main repairs in the last 20 years due to these trees.
- The work order dates indicate that at least 8 repairs have been done in the last 20 years.
- Urban Forester has been provided this data directly from Mr. Alvis.

Work Order #	Activity	Asset Type	Completed	Subtotal	Contractor Cost	Labor Cost	Material Cost	Tool Cost	Vehicle Cost	Extra Item Cost
1314160	FHY09	Water Hydrant	6/26/2013	349.48	0	147.71	76.77	0	119.92	5.08
1566622	WS09	Water Service Line	2/23/2015	1505.22	0	676.58	470.12	0	354.61	3.91
1567213	CS35	Water Service Line	2/26/2015	184.43	0	49.18	10	0	125.25	0
157307	WS09	Water Service Line	9/2/2003	2412.63	1670	396.32	75.56	0	270.75	0
1726384	MBX11	Water Meter	2/2/2016	154.51	0	47.75	0	0	106.76	0
1727276	MTR11	Water Meter	3/1/2016	214.42	0	7.62	128.32	0	78.48	0
1727277	MTR11	Water Meter	3/1/2016	214.42	0	7.62	128.32	0	78.48	0
1748401	FHY19	Water Hydrant	9/26/2016	21.78	0	18.44	1.5	0	1.45	0.39
1878898	WM09	Water Main	5/22/2018	1777.5905	0	869.2725	367.028	0	532.55	8.74
1879015	CS11		5/23/2018	31.8718	0	19.5075	0	0	12.35	0.0143
1879018	WS09	Water Service Line	5/22/2018	843.115	0	230.61	367.62	0	238.445	6.44
2012255	FHY19	Water Hydrant	8/20/2020	38.9005	0	17.5285	2.43	0	18.85	0.092
206766	WS09	Water Service Line	7/30/2004	550.74	0	305.19	65.2	0	177.66	2.69
206799	CS34	Water Service Line	8/3/2004	284.17	0	75.06	63.24	0	145.87	0
234772	WS09	Water Service Line	2/25/2005	2234.64	1649.2	248.75	115.67	0	221.02	0
34467	SBCCO	Water Meter	2/11/2000	112.15	0	72.74	12.11	0	27.3	0
561979	WS09	Water Service Line	6/21/2009	8562.29	7188.3	639.95	219.86	0	424.27	89.91
561987	CS30	Water Service Line	7/17/2009	43.61	0	12.91	28.8	0	1.9	0
745080	WS09	Water Service Line	8/20/2010	2462.42	1466	484.45	119.4	0	228.35	164.22
982023	WS09	Water Service Line	10/17/2011	767.37	0	469.99	113.44	0	167.91	16.03
1879019	WS17	Water Service Line	5/22/2018	1408.1931	0	557.3075	611.9806	0	238.445	0.46
Total				$24,173.95						
Street Cut Estimated Totals				$36,000.00						
Combined totals				**$61,845.39**						


Town and country practise
Town and Country Sports, South Parking Lot
Water Oak Ln
Water Oak Ln
Water Oak Ln
Morris Rd
Hazelhurst Dr
Briar Hollow Dr
Hazelhurst Dr
Villa Park Dr
Town and Country Field 31
Miracle League
Lyndon Ln
Lyndon Ln
Frostwood Trail
Villa Park Dr
Town and Country Field 32
Talyne Chaise Cir
Town and Country Field 34
Bancroft Trail
Briar Hollow Dr
Casa Sophia
Yellow Oak St
Bridgewood Trail
Villa Park Dr
Field 33
Morris Rd
Slant Oak Dr
Black Oak St
Austin Vineyard Church
Austin Auction Gallery
Clearbrook Trail
Villa Park Dr
Anytime Fitness
Aim and Focus Karate, Inc
Anderson Mill Rd
Anderson Mill Rd
North Oaks Country Child...
Temporarily closed
Cainwood Ln
Google

6 other Cul-De-Sacs on same Street

- None of the 6 other Cul-de-Sacs have incurred any water main repairs in 20 years. - $0.00
- All Cul-de-sacs have identical infrastructure and age as Crown Ct's infrastructure.
- Crown Ct is the only Cul-de-sac with 4 large Cottonwood trees in the Right-of-Way within a few feet of the water main.
- Cottonwood trees are known to damage pipes

20” Cottonwood Tree and Water Main

- Base of tree is within inches of the street pavement.
- Street cuts from water main repairs are at the tree.
- Street cuts directly adjacent to this tree indicate that this tree is at least responsible for some of the damage to the water mains.

Street cuts at base of tree

34” Tree and 20” Tree damaging property owner’s pipes

- Property owner provided repair invoices and pictures of pipe damage caused by these trees and their roots
- Large roots from both trees are on my water line. Both have caused damage to my pipes.
- Urban Forester was immediately dismissive of these facts.
- Made decisions and assertions without ever visiting or inspecting the situation.
- Made false statements about tree roots and water pipes.
- Refused to assist me with my problems.

Killander, Lisa <Lisa.Killander@austintexas.gov> Sun, May 24, 2020 at 1:18 PM
To: Patrick Fulker <patrick.fulker@gmail.com>

Patrick,

You seem to believe the trees are actively destroying your water line and that is simply not the case. As I stated in a previous email, the roots will grow towards a leak in the water pipe and can then cause the flow within the pipe to be impeded. These tree roots are not crushing or cracking your waterline. If they were then you would have had ongoing repairs starting after you moved in and throughout the past 14 years that you have lived in your home. You can bring this matter up to your district councilman. They will reach out for my response and I will give the same response I have given you. I am sorry you feel these trees are suddenly a detriment to your property.

Killander, Lisa <Lisa.Killander@austintexas.gov> Fri, May 22, 3:29 PM

to me

Patrick,

Cutting the roots would cause decay to migrate into other parts of the root system and ultimately cause the tree to become structurally unsound and a risk to your home and pedestrians. In other words the tree could fail at the base and fall onto your house , neighbors drive, or impact the safety of the right of way.

Cottonwoods are prone to decay when wounds are created.

...

Lisa states that I am not even allowed to cut the roots that are damaging my pipes. Please note her statement that cottonwood trees are prone to decay when the roots are cut.

34” Tree and 20” Tree damaging property owner’s pipes

- Urban Forester refuses to acknowledge issues with pipes.
- Urban Forester states that I am not allowed to cut the roots damaging my pipes
- Urban Forester refuses to acknowledge my request to appeal her decision.
- What rights do property owners have in this process?

34” Tree – roots visibly bending water valves on the surface. Urban Forester refused to acknowledge this fact.

Root was excavated by Austin Water – Roots are clearly destroying pipes.

Large root from 20” Cottonwood tree over my water main. Has previously caused damage to my pipes. Yellow line indicates approximate location of water line.

City Council Intervention

- Property owner had to seek assistance from Austin Water, the City Council, and City legal department.
- Urban Forester refused to acknowledge my request for an appeal.
- After city council involvement, Urban Forester reluctantly agreed to re-assess my situation.

From: Killander, Lisa
Sent: Tuesday, September 1, 2020 5:20 PM
To: Mars, Keith
Cc: Robinson, John; Kistner, Shane; Jones, Michael; McMillan, Scott
Subject: Cottonwood at 13213 Villa Park Drive
Attachments: Cottonwood at 13213 Villa Park drive.jpg; Cottonwood root and waterline view.jpg

Mr. Mars,

Public Works Forestry has reviewed the latest information regarding the citizen's request to remove a 34" diameter Cottonwood at 13213 Villa Park Road. This tree poses no risk to pedestrians or vehicles but after the root zone was water excavated by Austin Water staff at the request of the resident it was obvious the extent to which the support roots of this cottonwood are impacting and will continue to impact the water lines to this address as well as the adjacent home whose tap is located in the same place. Please see pictures attached. Austin Water's Pipeline Maintenance Superintendent, Mile Alvis provided Forestry staff with the cost to relocate the two taps being impacted. Given this cost or costs of future water line/tap repairs it has been decided that these costs to the City exceed the benefits that this tree provides to a few homes within this cul-de-sac.
Hence this large cottonwood will be remove by Public Works Forestry as scheduling allows. The removal of the smaller cottonwood located on this property cannot be justified using the same criteria used for the larger cottonwood and hence it's removal will not take place at this time. I want to thank Mr. Fulker for his efforts in helping the City understand more clearly the issues with this particular cottonwood that unfortunately developed near the taps for two houses.

Criteria Warranting Removal of the trees.

- Urban Forrester agreed to remove the 34” tree but not the 20” tree.
- No documentation or explanation given to support their decision, except for one vague e-mail.
- The same criteria can and should be used to justify and remove the 20” tree.
- Two arborists, Lisa Killander and John Robinson, inspected the trees and were on-site for about an hour. Almost no information was documented, and no risk assessment was recorded.
- The Urban Forester has no listed criteria for what warrants removal and does not document their work or justify their decisions in any way.

URBAN FORESTER'S CRITERIA TO REMOVE TREE

- Urban Forester stated that the cost to relocate the water main exceeds the value of the 34" tree.
- This is also true for the 20" tree.
- Both trees have caused damage and will continue to cause damage to my pipes.
- Lisa inquired with Mr. Alvis at Austin Water and was told that this 20" tree will most likely continue to cause me problems. Apparently, this wasn't persuasive to the Urban Forester's decision.

From: Killander, Lisa
Sent: Tuesday, August 25, 2020 8:24 AM
To: Alvis, Mike <Mike.Alvis@austintexas.gov>
Cc: Morrow, Scott <Scott.Morrow@austintexas.gov>; Rotramel, Naomi <Naomi.Rotramel@austintexas.gov>; Mars, Keith <Keith.Mars@austintexas.gov>; Robinson, John <John.Robinson@austintexas.gov>; Boswell, David <David.Boswell@austintexas.gov>
Subject: RE: 13213 Villa Park Dr.

Mike,

Thank you for sharing these with me. I will doing a formal assessment on this tree on wed. Did you excavate only one of the two cottonwoods in the ROW adjacent to Mr. Fulker's property? What is your opinion regarding the other cottonwood nearby and its ability to entangle the water system and potentially damage to the waterlines? Thank you.

Lisa Killander

City of Austin
Public Works Department
Office of the City Engineer
Urban Forestry Manager
Certified Arborist TX 3735-A

Lisa asks Mike Alvis of Austin Water about the 20" tree affecting my pipes. A "formal inspection" will be conducted. Where is the report or documentation for this assessment?

Alvis, Mike <Mike.Alvis@austintexas.gov> Oct 2, 2020, 11:14 AM

to me

Morning Patrick,

I was asked if I exposed both root systems and what my thoughts were about the second (smaller) tree and the possibilities of root intrusion through past experience. I expressed that I wasn't and arborist but, it has been my experience in excavations that we find root systems generally take the path of least resistance and that trench lines for water & wastewater systems can filter and hold ground water in the bedding material. This acts as an attractant for roots systems as they seek moisture. I mentioned again that this wasn't my area of expertise as I'm not an arborist. She thanked me for my input and help with this and stated she would be making a site visit to investigate the area in question. She asked if I could leave the excavated area open for their review. I agreed and requested they notify me when their investigation was complete so I could have the excavation backfilled.

I know we discussed leaving the area exposed until work was complete. Has that happened yet? No rush, I just want to ensure it is addressed.

Michael Alvis

Pipeline Maintenance Superintendent

City of Austin I Austin Water, Distribution System Services

512-972-1182 I C: 512-879-7747

Mike Alvis replies that he feels the tree will continue to affect my waterline

COST TO RELOCATE WATER METER

- Michael Alvis from Austin water provided costs to relocate the water meters affected by the trees. This only reflects the cost to the City and does not include the thousands of dollars that the property owners would also have to pay for their waterlines.
- 13213 Villa Park. Dr.
- Relocate service = $2k
- Street cut = $6K
-
- Abandon Existing Service @ main = $1K
- Street cut = $6K
-
- 8802 Crown Ct.
- Relocate service = $2K
- Street Cut - $6K
-
- Total estimate = $23K

The Austin Environmental Criteria Manual – Section 3.5.4 states how to value a Tree

A standard formula of one caliper inch of replacement value is equivalent to $200.00, or $75 for certified affordable developments and placed into the UFRF. (NOTE: This option is not intended to facilitate the excessive removal of trees.) Trees have varying values based upon numerous tree and site conditions (see ECM 3.5.1). The following mitigation rates apply for medium valued trees; however the City Arborist may raise or reduce these rates for high or low valued trees:

- greater than 19 inches diameter and located in Appendix F - 100%

20” x $200.00 x 100% = $4,000.00

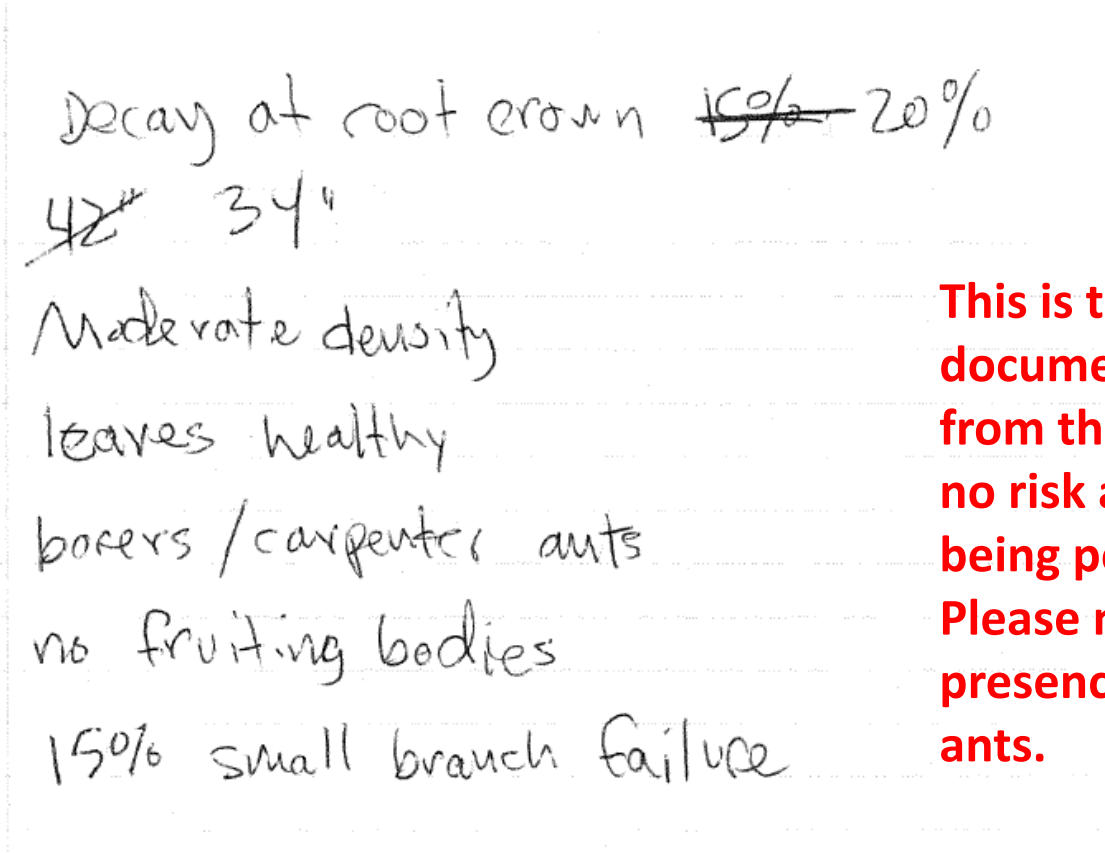
20” Tree Value Vs Meter Costs

- The 20” tree does not appear to be affecting my neighbor’s water-line but its roots have damaged my pipes and will continue to do so.
- The cost on the City to relocate just my water main is $15k. This exceeds the tree’s value of $4k by more than 300%. The costs to the city alone warrants removal of this tree.
- This is the exact same criteria used by the Urban Forester to warrant removal of the 34” tree.
- I request that the same criteria used to warrant removal be applied to all trees and not just one.

No Documentation for Inspection

- When I asked for copies of the “formal” inspection documentation, I was provided a blank ISA tree risk assessment form and a scan of a small sheet of note paper
- Two arborists, Lisa Killander and John Robinson, from the City of Austin were onsite for about an hour. A decision was made not remove the 20” tree and no documentation exists showing how they arrived at their conclusions.
- When I asked about the risk assessment forms completed for the subject trees, I was told none were completed.

ALL DOCUMENTS FROM THE INSPECTION



Decay at root crown ~~15%~~ 20%

~~42"~~ 34"

Moderate density

leaves healthy

borers / carpenter ants

no fruiting bodies

15% small branch failure

This is the only documentation created from the visit. There is no risk assessment being performed here. Please note the presence of carpenter ants.

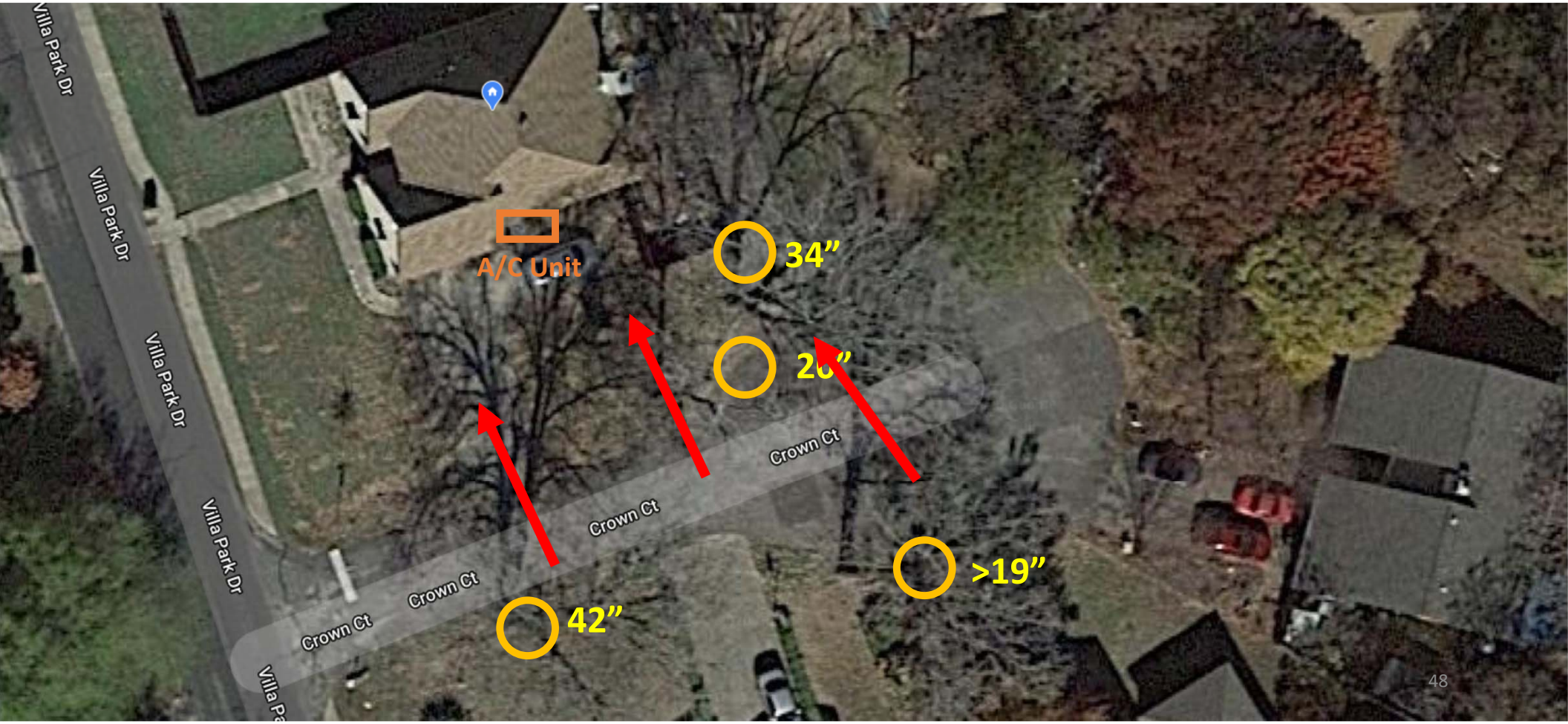
PROBLEMS RELATED TO “COTTON FUZZ”

- There are 4 large female cottonwood trees in Crown Ct.
- These trees produce prolific amounts of seeds (“Cotton Fuzz”) from mid-March to mid-July (over 4 months).
- The fuzz inundates the adjacent properties clogging A/C units and creating a serious fire hazard.
- 30-45min of cleaning daily (for 4 months) is necessary just to keep my breaker box and A/C unit cleaned.
- Cleaning this fuzz from my entire ¼ acre lot is impractical and would require several hours each day to maintain.

WIND DIRECTION IN AUSTIN, TX

- The predominant average hourly wind direction at Austin-Bergstrom International Airport varies throughout the year.
- The wind is most often from the *south* for *10 months*, from *February 3* to *December 8*, with a peak percentage of *77%* on *July 13*.
- The Wind in Austin is predominantly from the south when the Fuzz is present. These trees are all south of my property.
- The wind deposits a lot of this fuzz onto my property and clogs my A/C unit daily.

WIND DIRECTION



CLOGGED A/C UNIT FROM “COTTON FUZZ”

I have been informed by my A/C company that if my compressor fails due to this “fuzz” they cannot replace it under warranty.

THE FUZZ IS A SERIOUS FIRE HAZARD

Please see the linked videos for information on the serious fire hazard these trees present for property owners:

Please note the amount of fuzz in the air and on the ground

https://www.coloradoan.com/story/news/2016/06/23/fluffy-gasoline-raises-fort-collins-fire-concerns/86281998/

https://www.youtube.com/watch?v=bIHvPxQF1Ng

https://www.youtube.com/watch?v=UXsVTlQW57k

SUMMARY OF TREE ISSUES:

- Roots from trees have damaged city infrastructure exceeding $61,000 in repairs. Future damage is also likely.
- Roots of the 20” tree have damaged my pipes and will continue to do so.
- The cost to relocate the pipes is high and exceeds the value of the trees, thus warranting removal.
- The fuzz from all trees is excessive, a nuisance, clogs appliances, and is a serious fire hazard.
- Unfortunately, the only cost-effective way to alleviate all of these problems is to remove the trees.

CHANGE TO THE CURRENT PROCESS

- The urban forester currently has no written processes or procedures that they follow when assessing trees for removal.
- They do not document most of their work, including tree risk assessments, which require collecting and analyzing data and applying equations to that data.
- When decisions are reached, no effort is made to explain or justify those decisions. No transparency exists for property owners.
- There are no stated criteria listed for what warrants removal.
- Property owner's have zero rights in this process.
- Using approved, objective procedures that are well documented is the best way to ensure that a fair and transparent process is being performed.
- A nuisance tree list should be considered to identify trees that cause excessive damage and hazards to public and private infrastructure.
- More oversight is necessary over the Urban Foresters and their activities.
- I have been told I am the first person to ever request an appeal to a tree removal decision under City Ordinance 6-3. No process existed and one has been created to address this situation. I have been provided almost no information on how this appeal process works.

THANK YOU!

- I would like to thank the Environmental Commission for their time and consideration with this matter.
- I like trees and do not take their removal lightly. I feel there is no other cost-effective way to mitigate the multitude of problems these trees cause.
- Please understand that I put a lot of time and effort into communicating my situation and having these serious issues addressed. I would not have done so if these issues were not real or serious concerns for me.
- If the commission disagrees with removal of the tree, would it please provide reasons for this position. Could the commission also explain how it feels these issues could be resolved going forward without tree removal?
- Please consider more oversight of the Urban Forestry department and the tree removal process – to include nuisance tree lists, recognition of unnecessary costs to the city, and rights & remedies for property owners.