

DECIDUOUS OAK TREE PROTECTION

INTRODUCTION

The 2015-2016 Santa Barbara County Grand Jury has completed an investigation regarding Article IX of Chapter 35, of the Santa Barbara County Code titled "Deciduous Oak Tree Protection and Regeneration Ordinance" (Ordinance). Enacted in 2003, the Ordinance was intended to protect oak trees for their major role in prevention of soil erosion and stabilization, as well as their historic and aesthetic contribution to the quality of life in Santa Barbara County.

BACKGROUND

Santa Barbara County (County) has an agricultural and tourism-based economy. The explosion of the wine industry in the county has changed grazing and virgin land into grapevine cultivation. In 1997, a County vintner cleared a large tract of land including removal of stabilizing vegetation and ancient deciduous oak trees. This land was then planted as a vineyard. The following rainy season wreaked havoc on the vineyard, severely changing the topography. This event caught the attention of the agricultural community, the public, and the Board of Supervisors (BOS). In 2003, responding to a joint effort by landowners and the community, the BOS enacted an ordinance to prevent this from recurring. Some deciduous oak trees are exempt from the ordinance. The Ordinance states that, if a deciduous oak tree is removed, it must be replaced by oak saplings with a replacement ratio depending on the parcel size from which it was removed. The ratio is dependent on whether the parcel is agricultural or non-agricultural. The Ordinance further states that, after five years, ten saplings must have survived for every tree removed.¹

METHODOLOGY

The 2015-2016 Santa Barbara County Grand Jury (Jury) interviewed staff from various County departments and spoke with landowners and tree experts. Information reviewed included photos, documents, and the Ordinance.

OBSERVATIONS

¹ *Santa Barbara County Code §35-901 et seq.* Full text at <http://sbcountyplanning.org/PDF/A/Article%20IX.pdf>

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The County Ordinance enacted in 2003 provided for enforcement by the Planning and Development Department along with support by the County Agricultural Commissioner. Taking a leading role in the enforcement and preservation of the oaks, the County Agricultural Commissioner works with Planning and Development when oak tree protection is required. Working primarily with vintners to save and protect the Valley and Blue deciduous oak trees, these two departments also oversee and protect many of the larger and most historic trees.

The regrowth of newly planted and distributed oaks numbers in the thousands. This is achieved by a partnership with the non-profit Santa Barbara County Farm Bureau and local schools to educate students and plant trees throughout the county. In addition, much of the protection of large and stately oaks is provided by citizens who send in complaints when oaks are threatened.

CONCLUSION

The 2015-16 Santa Barbara County Grand Jury determined that the Ordinance has been effective. The citizens and agriculture industry have self-policed and are protecting our county's unique environment-saving oaks. No oak tree removal projects have required mitigation since 2005 and no deciduous oak tree removal projects have been carried out since 2009. The 2003 County of Santa Barbara Deciduous Oak Tree Protection and Regeneration Ordinance has been a success.²

Under *California Penal Code Section 933.05* this report does not require a response.

² 2015 Oak Tree Protection and Regeneration Program Status Report submitted, by Agricultural Commissioner and Director of Planning and Development, to the Santa Barbara County Board of Supervisors on October 6, 2015