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Tree trims cut

By DAN WHITE
 Sentinel staff writer

BONNY DOON — Critics of Pacific Gas & Electric Co.'s tree-cutting project in rural Bonny Doon have scored a courtroom victory.

After ordering PG&E Monday not to cut or trim trees on two parcels for at least 10 days, Superior Court Judge Samuel Stevens extended his ruling Tuesday to include five more properties.

Responding to a petition from a collection of homeowners calling itself the Woodlands Preservation Group, Stevens also ordered PG&E to avoid cutting down any of a variety of manzanita trees that grow in Bonny Doon forests.

Santa Cruz lawyer Christopher Dort, representing seven property owners, described the trees, known as Anderson's manzanitas, as a "rare, threatened or endangered species" protected by the California Environmental Quality Act.

Though there is a question whether the manzanita variety is a threatened species, the utility giant said it will comply with all aspects of the order.

"We will follow the court order and not do anything on the properties," PG&E spokesman Scott Blakey said after the court session. He said cutting work will continue on other properties not affected by the court order.

Randy Morgan, a California Native Plant Society member, described the Anderson's manzanita as neither common nor endangered.

"It is listed as rare but is not as rare as some of our rare plants," Morgan said. "It is scattered fairly widely through the Santa Cruz Mountains."

He said it has some protection, "but it is closer to no protection than absolute protection. It is certainly not a plant we worry about a lot here," although he characterized it as a "wonderful ornamental plant."

PG&E crews have been trimming or removing trees under its power lines in the Bonny Doon area, the company saying it must do so to prevent fires.

Some Bonny Doon residents have argued that the crews are removing more trees than necessary. They say the utility is overreacting to past liability issues by clear-



Shmuel Thaler/Sentinel file

A PG&E contractor cuts down trees in Bonny Doon in this April photo.

cutting near power lines and removing too many healthy trees.

In a hearing scheduled for Nov. 29, the property owners will seek an injunction to ban any more trimming or cutting until a trial can be held, Dort said.

It was difficult Tuesday to gauge the immediate impact of the restraining order because PG&E says it is close to wrapping up the removal of 700 trees. Blakey said the scheduled work will be completed in about a week.

While seven property owners are contesting the cutting in court, Blakey said he knew of trees being trimmed or removed from only one of those properties.

Stephen Schirle, a lawyer for PG&E, said most of the plaintiffs' properties were not slated for cutting or trimming as part of the utility line protection project.

"Most of the properties we did not intend to do any work on in the near future," Schirle said.

But Dort, the plaintiffs' lawyer, said many trees on the other properties have been clearly marked for removal.

"They have orange and blue paint all over them," Dort said. "Orange means removal."

Dort said some area residents have given PG&E permission to cut trees on their properties, but that workers have cut more trees than they said they would.

He also said he was disappointed Stevens didn't give more far-ranging protection to the manzanita trees because that would have stopped the PG&E tree trimming altogether.

He said the restraining order could protect more trees if additional landowners come forward to join the legal action.

PG&E officials insist their vegetation-management plan is both crucial and reasonable.

"The bottom line comment is we believe we have a reasonable vegetation management plan which we will be able to demonstrate to the court when we file our opposition papers (by Nov. 23)," Schirle said.

PG&E officials say they are following clearly stated guidelines for determining which trees need to come down. They said the ones being removed are leaning close to lines, appear to be diseased or have root defects, trunk deformities, rot or other problems.

According to court papers, the plaintiffs also seek damages "for malicious trespass and destruction of timber" and other compensatory damages.

Dort maintained that PG&E crews "accelerated" the cutting after learning of the initial restraining order Stevens granted Monday for two properties.

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