



ORANGE COUNTY  
CLERK-RECORDER  
CEQA FILING COVER SHEET


30-04/30/2026-0355

202685000493

**FILED**

April 30, 2026

HUGH NGUYEN  
CLERK - RECORDER

By   
Deputy clerk

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk-Recorder

TYPE OR PRINT CLEARLY

Project Title

TREE REMOVAL AND REPLACEMENTS ON LOWER FOREST AVENUE (IMPLEMENTING THE PROMENADE ON FOREST PROJECT)

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

**FILED IN THE OFFICE OF THE ORANGE  
COUNTY CLERK-RECORDER ON 04/30/2026**  
 Posted 04/30/2026 Removed \_\_\_\_\_  
 Returned to agency on \_\_\_\_\_  
 DEPUTY 135

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.




# NOTICE OF EXEMPTION

From: Community Development – Planning Division  
505 Forest Avenue Laguna Beach, California 92651

# FILED

APR 30 2026

HUGH NGUYEN, CLERK-RECORDER

BY:  DEPUTY

(above for use by County Clerk-Recorder's Office only)

1. **APPLICANT:** City of Laguna Beach, 505 Forest Ave. Laguna Beach, CA, 92651 **949-497-0735**
2. **LEAD AGENCY:** City of Laguna Beach, 505 Forest Ave. Laguna Beach, CA, 92651
3. **PROJECT PLANNER:** Anthony Viera, Deputy Director of Community Development, [aviera@lagunabeachcity.net](mailto:aviera@lagunabeachcity.net)
4. **PROJECT TITLE:** Tree removals and replacements on Lower Forest Avenue (implementing the Promenade on Forest project)
5. **PROJECT LOCATION:** Lower Forest Avenue, between the Forest Avenue/South Coast Highway intersection and the Forest Avenue/Glenneyre Street intersection
6. **DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:**  
Removal of nine Eucalyptus trees from the Forest Avenue Promenade in response to the findings of two independent arborist reports. The trees will be replaced at a one-to-one ratio.

### ENVIRONMENTAL DETERMINATION:

On April 20, 2026, the City of Laguna Beach removed nine (9) trees along lower Forest Avenue between the Forest Avenue/South Coast Highway intersection and the Forest Avenue/Glenneyre Street intersection ("Trees"). This was done pursuant to the City's *Tree Removal and Planting Policy for Public Trees* due to an imminent risk to public safety. Based on multiple arborist reports that inspected the Trees (the last being received by the City on April 20, 2026 at approximately 3:30 pm), the recent failure of a similarly situated tree on lower Forest Avenue in the immediate proximity of the trees to be removed, and identifiable field conditions that indicated poor and possibly diseased roots, each of the Trees to be removed created an imminent risk to public safety for which their respective immediate removal was necessary to avoid maintaining a condition in which the public and/or structures were placed in immediate danger.

This action was determined to be exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code section 21080 (b)(4) and CEQA Guidelines section 15269 (c) as an emergency project. The removal of these Trees was necessary to prevent or mitigate an emergency. Ample evidence indicates that due to the poor root structure and overall health and circumstances for each Tree, there was a legitimate threat of failure, particularly as a similarly situated tree—with similar health, root structure, and surrounding circumstances (including but not limited to evidence of root cutting, root guards too close to the tree, and concrete and asphalt layering that all contributed to significant constraint of the tree's respective growth, development, and health) to the Trees—had failed in recent weeks. The evidence available to the City indicates there was a risk that each of the Trees had the potential to fail, and that any future work in the area may increase the risk of failure, thereby endangering the public, construction workers working in the immediate vicinity of the trees, and/or neighboring structures.

This action was further determined to be exempt pursuant to State CEQA Guidelines section 15304 (Class 4 – Minor Alterations to Land). Section 15304 exempts "minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes." Based on the evidence available to the City, including but not limited to the arborists' reports, photos, observations, and the physical conditions and surrounding environments of the trees, each one of the Trees has health issues and poses an imminent risk to public safety and the public and/or nearby structures are at risk. Thus, none of these Trees met the criteria of "healthy, mature, scenic trees." None of the exceptions listed in CEQA Guidelines Section 15300.2 applied.

Therefore, the Director of Public Works and Utilities has determined that further environmental evaluation is not required because:

- The project is not subject to CEQA because it "does not involve the exercise of discretionary power," or "will not result in a direct or reasonably foreseeable indirect physical change in the environment," or, "is not a project as defined in Section 15378 of the CEQA guidelines." (Sections 15060(c)(1), (2) & (3)); or,
- "The activity is covered by the commonsense exemption that CEQA applies only to projects which have

the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,

- The project is statutorily exempt, Section 15269, <name> (Sections 15260-15277); or,
- The project is categorically exempt per State CEQA Guidelines, Section 15304.

9. Was a public hearing held by the Lead Agency to consider the exemption?  
 Yes  No  If yes, the date of the public hearing was:

  
 \_\_\_\_\_  
 Signature

Date: 4/29/2026

Mark McAvey  
 \_\_\_\_\_  
 Name

Title: Director of Public Works & Utilities

Signed by Lead Agency

Signed by Applicant

Authority cited: Section 21080, Public Resources Code & CEQA Guidelines sections 15269 and 15304.

**FILED**

APR 30 2026

HUGH NGUYEN, CLERK-RECORDER

BY:  DEPUTY



Orange County  
Clerk-Recorder  
Hugh Nguyen  
601 N. Ross Street  
Santa Ana, CA 92701  
(714) 834-2500

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