



ORANGE COUNTY
CLERK-RECORDER
CEQA FILING COVER SHEET

202685000507
FILED
May 4, 2026
HUGH NGUYEN
CLERK - RECORDER
By Hugh Nguyen
Deputy clerk

30-05/04/2026-0360

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 REPLACEMENT 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** 05/04/2026
Posted 05/04/2026 Removed _____
Returned to agency on _____
DEPUTY 464

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

MAY 04 2026

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

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

1. **APPLICANT:** City of Laguna Beach, 505 Forest Ave. Laguna Beach, CA, 92651 949-464-6688
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
4. **PROJECT TITLE:** Tree removal and replacement on Lower Forest Avenue (implementing the Promenade on Forest project)
5. **PROJECT LOCATION:** Street/sidewalk area in front of 222 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 one Eucalyptus tree from the Forest Avenue Promenade in response to the findings of two independent arborist reports following a tree pathologist report. The tree will be replaced with the same or similar species.

ENVIRONMENTAL DETERMINATION:

On May 1, 2026, the City of Laguna Beach determined to remove one (1) eucalyptus tree along lower Forest Avenue, in the street/sidewalk vicinity at approximately 222 Forest Ave., between the Forest Avenue/South Coast Highway intersection and the Forest Avenue/Glenneyre Street intersection ("Tree"). 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 the recommendation of multiple arborists (the last being received at approximately 10:30am on May 1, 2026) following a tree pathologist reports that determined the Tree is infected with a Basidiomycete fungus, likely *Laetiporus sulphureus*. This was confirmed via a Tree root sample. This is the same pathogen that was found in the tree that failed earlier during construction. Further, the tree pathologist report found *Phytophthora* isolated in the soil. *Phytophthora* will infect stressed and susceptible tree species in moist soil conditions and can cause root rot – which was identified in several other trees in the area. Based on the above and all of the evidence before the City, the Tree is an imminent risk to public safety. Its immediate removal is 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 the Tree is 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 Tree—had failed in recent weeks. The evidence available to the City indicates there was a risk that the Tree 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 Tree, 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' recommends, tree pathologist report, photos, observations, and the physical conditions and surrounding environments of the Tree, the Tree has health issues and poses an imminent risk to public safety and the public and/or nearby structures are at risk. Thus, the Tree does not meet the criteria of "healthy, mature, scenic trees." None of the exceptions listed in CEQA Guidelines Section 15300.2 applied.

Therefore, the Director of Director 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:

Thomas Perez
Signature

Date: 5/1/26

Thomas Perez
Name

Title: City Engineer

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MAY 04 2026

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

Signed by Lead Agency

Signed by Applicant

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



State of California - Department of Fish and Wildlife
2026 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 01/01/26) Previously DFG 753.5a

Print **Start Over** **Save**

RECEIPT NUMBER:
 30-05/04/2026-0360
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF LAGUNA BEACH	LEAD AGENCY EMAIL	DATE 05/04/2026
COUNTY/STATE AGENCY OF FILING ORANGE COUNTY	DOCUMENT NUMBER 202685000507	

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

PROJECT APPLICANT NAME CITY OF LAGUNA BEACH	PROJECT APPLICANT EMAIL	PHONE NUMBER (949) 464-6688
PROJECT APPLICANT ADDRESS 505 FOREST AVE	CITY LAGUNA BEACH	STATE CA
		ZIP CODE 92651

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$ 4,227.50 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$ 3,043.75 \$ _____
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,437.25 \$ _____

- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$ 850.00 \$ _____
- County documentary handling fee \$ 50.00 \$ _____
- Other \$ _____

PAYMENT METHOD:

- Cash Credit Check Other **TOTAL RECEIVED \$ _____ 0.00**

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Daniela Florido Deputy Clerk
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