

January 27, 2017

Dear Mayor Stoney, members of City Council,

I am writing to you today representing the Sierra Club Falls of the James, one of the largest and oldest environmental organizations in the area. We are a local grassroots group that is part of the national Sierra Club. We are writing because we are very concerned about the removal of trees and the state of historic Monroe Park. We note that we previously produced a statement on this topic in May of 2014 (ITEM 1), and we are profoundly disappointed that our concerns have been ignored. We also note previous public outcry about trees removed at the Redskins Camp, Tredegar Green, and the Maggie Walker statue site. In regard to Monroe Park, we would like to present you with the following statement of facts and remedial suggestions. Ideally, we would like to meet with you in person at a future date to discuss further.

STATEMENT OF FACTS

From 2004 until 2012, the Monroe Park Advisory Council (MPAC) was created by Richmond City Council to craft a master plan for the renovation of Monroe Park, a designated urban green space purchased by the city in 1851 and historically known for its comprehensive tree canopy consisting of many mature, healthy and diverse tree specimens. This urban tree canopy provided great benefit to the urban Richmond community through scenic vistas, cooling shade, storm water displacement and the filtering of pollutants caused by the dense downtown street grid. In 2008, a publicly vetted master plan was created and approved by the Richmond Urban Design Committee (UDC) without comment. This plan emphasized restoration and conservation of the majority of the existing tree canopy with emphasis placed on species planted during the parks major period of significance, circa 1900-1910. The original 2008 master plan is available for download on the Richmond city government website with a graphic depiction of a comprehensive and fully restored tree canopy (ITEM 1).

2009 WORK DOCUMENTS APPROVAL

In order to implement the approved master plan, work documents had to be crafted. In a move that was never presented to neighborhood associations or the public at large, the work documents contained a modification to the tree plan that reduced the number of trees in the park by +/- 26 trees. Members of the Monroe Park Advisory Council were not advised of the significant tree canopy reduction as designed by 3 North and supervised by MPAC president Alice Massie. In 2009, the UDC and the Richmond Planning Commission approved work documents.

VCU ADVOCACY OF TREE REMOVAL IN THE PARK

In 1991, VCU brought before city council a request to remove 37 trees from Monroe Park (ITEM 2). Due to public outcry and opposition, city council voted down the measure. Again, in 2006 during master plan deliberations, VCU again made the suggestion that a substantial portion of the tree canopy be removed. Ms. Massie was in agreement. City planning director Rachel Flynn in response assisted by hiring consultants and the plan (ITEM 1) was chosen due to public consensus over the copious removal of healthy mature trees.

MONROE PARK CONSERVANCY AND LEASE

In 2011, the Monroe Park Conservancy (MPC), established by Alice Massie and others as a 501c3 corporation, sought to lease Monroe Park to solicit a 3 million dollar amount toward the 6 million dollar park renovation and to exert management preferences on the park thereafter. On April 14, 2014, city council approved Ord. 2014-010-50, a 30-year lease with the MPC with said lease commencing after completion of the renovation. On the same day, city council approved Res. 2014-R064-64 which sought to diversify board membership of the MPC to include neighboring community stakeholders to be achieved within a 6-month period. Ms. Massie signed the resolution in agreement on behalf of the MPC. Now, as of 2 1/2 years after the lease approval, Ms. Massie has refused to diversify the MPC Board as per signed resolution. A month and a half after lease approval, on

May 27, 2014, city council abolished the MPAC through Ord. 2014-111-84. This further excluded any participation by the public on important matters pertaining to the park.

FURTHER CONTROVERSIAL PROPOSED PARK PLAN MODIFICATIONS

In December of 2016, during the holiday season and during a time when Richmond City government was in transition due to election of a new Mayor and a new 2nd District Councilperson (Monroe Park lies in the 2nd District), a controversial proposal was submitted to the UDC for an expedited hearing on January 5, 2017 (ITEMS 3 and 4). Both newly elected Mayor Levar Stoney and 2nd District Councilperson Kim Gray would be eligible to sit on the MPC Board of Directors as of January 1, 2017 but presumably would not have time to completely vet the proposal before the hearing on the 5th. The sponsors of this questionable proposal were city Capital Projects Manager Donald Summers and 3 North Project Manager Andrea Almond, also a sitting member of the UDC. It is troubling that UDC policy dictates that proposals that have significant impact such as this one be presented to both affected city council members and neighborhood associations. No presentations were planned to either city councilors or neighborhood associations. After complaints on this were made to UDC secretary Ms. Onufer, Mr. Summers temporarily withdrew the hearing proposal for January 5, 2017.

DECEMBER 12, 2016 MEETING AND TREE REMOVAL

On December 12, 2016, around the time of the UDC proposal application, a meeting was held in Monroe Park which included Ms. Massie, 3 North Design Team, City Capital Projects Manager Mr. Donald Summers, city arborist Alexander Elton and people from the city annual tree contractor service. At this meeting, an additional 14 trees were specified for removal. 7 were declared dead by the city arborist Alexander Elton and 7 were declared in conflict with a proposed city bio-retention feature in the park, with statements being made that the bio-retention feature would destroy the trees. None of the 14 trees were identified in any

previous documents for removal so the 7 cited for conflict should have been approved in advance by departmental variance but in the rush to remove the trees, no variance was applied for by Mr. Donald Summers. The trees were gone in a matter of days. It is troubling that the location of these trees, being adjacent in proximity to the controversial UDC pavilion proposal, could have caused a negative impact on the approval of the proposal by the UDC. The UDC pavilion proposal would adversely affect at least 2 other trees scheduled for planting in the park. Healthy mature trees are a much more efficient means of storm water displacement than mechanical bio-retention means and the city undertook no study to verify that the trees would be destroyed by the bio-retention feature. The seven dead trees were removed in days as well. Former 3 term member of MPAC and recipient of the 2005 Jesse Reynolds Award for his conservation work on this park and others, Charles Woodson disputes the dead tree declaration. Unfortunately, city arborist Alexander Elton could provide no records of his decision on the health of these trees under the Virginia Freedom of Information Act and contrary to city policy of marking and allowing an extended time period for community comment on trees before removal, the trees were gone in just days. Mr. Chupek, who is in charge of the Urban Forestry Division, confirmed that there were no plans to replace either the removed trees nor the the ones questionably declared dead and removed expeditiously by city arborist Alexander Elton. (ITEM 6)

APPEARANCE OF IMPROPRIETY

After consideration of the facts that trees were removed without variance to possibly afford a successful approval of an expedited and very controversial UDC pavilion proposal in conflict with the Monroe Park master plan and due to the appearance that the new councilperson Kim Gray, who espouses government transparency as a keystone of her governing philosophy as well as the new Mayor Levar Stoney would have possibly been excluded in the expedited UDC review gives the unmistakable appearance of impropriety in this matter. When factored in that 3 North Project Manager Andrea Almond was an applicant on this expedited UDC pavilion proposal which denied the affected public and city councilpersons of open presentation, violating the policy of the UDC and that Ms. Almond is also a sitting member of the existing UDC, this appearance of impropriety

is compounded. It is also unmistakable that contrary to the spirit of Res. 2014-R064-64 which would diversify the MPC Board of Directors, the community has been deprived of any voice pertaining to the city's oldest and most historic Monroe Park, and that the opposite of governmental transparency has been promulgated, the Falls of the James Chapter of the Sierra Club makes the following remedial suggestions:

1.) The Monroe Park Advisory Council be permanently reestablished by act of Richmond City Council and that members of the stake holding neighborhoods surrounding this park be appointed by Council as well as representatives of the VCU student government and VCU Administration to advise Richmond city government on matters concerning Monroe Park.

2.) That due to the lack of transparency and due to questionable decisions made by the MPC in representing corporate and institutional interests to the exclusion of the legitimate interests of the tax payers and other community members, that the lease on Monroe Park with the MPC be terminated immediately by ordinance of city council and that former MPC board members be rendered ineligible for appointment to the new Monroe Park Advisory Council.

3.) That the Monroe Park tree canopy, which has been tragically decimated by the removal of healthy mature trees, be reforested to the standards established in the original Monroe Park master plan, as approved by the UDC in 2008 and is listed on the city website under planning documents.

4.) That a policy and funding be established by act of city council for the replacement of trees that die or are removed due to disease or acts of God in Richmond City Parks be replaced in a timely and appropriate manner.

Thank You,

Scott Burger,

Advocacy Committee of Sierra Club Falls of the James

Item 1:

The Sierra Club Falls of the James Executive Committee, recognizing VCU's representation on the Monroe Park Conservancy board, respectfully asks for a public pledge to keep, at the very least, the same amount of mature trees and natural shade canopy as what is currently in Monroe Park. Given some past Monroe Park proposals, we believe this public pledge is necessary. We also request a careful inventory of the current mature trees, and ask to be notified before any are removed. While it is understandable that dead and dying trees may need removal and replacement, it is vital that Richmond retain valuable urban green resources. City trees, and groups of trees, are extremely important to offsetting downtown's heat island effect, creating a habitat for birds, supplying a calming presence on human beings, and offsetting climate change caused by global warming.

We also note that Monroe Park has been a historic place of public gathering and political protest, and we request that the Monroe Park Conservancy continue to allow these important civic activities. The ACLU of Virginia recently sent a letter that raises questions on these points in regard to the City's Monroe Park lease.

Lastly, it is also worth noting City Councilperson Parker Agelasto's resolution, adopted by City Council, to work with the Conservancy to expand the board, and consider requesting an increase in the membership of the board to include a.) the Director of the city Parks Dept.; b.) a representative from the city's Urban Forestry Division; c.) a representative of the Falls of the James Sierra Club; d.) representatives of the neighborhoods near the park that rely on the park as a fundamental community resource.

(In May of 2014, the above statement was sent to media contacts and posted on SCFOJ website and Facebook group, and was distributed to all of the Conservancy members, City Council members, City Parks director, head of City's Urban Forestry, etc.)