



ENVIRONMENTAL QUALITY COMMISSION MINUTES June 10, 2003

Administration Building, First Floor
701 Laurel Street, Menlo Park

CALL TO ORDER: The meeting was called to order by Chairman Theo Keet at 7:20 p.m.

Commissioners Present: Theo Keet, Frank Carney, Mary Kenney,
Mark McBirney, Kevin McCarthy, Laura Teksler

Commissioners Absent: Deirdre Digrande

Staff present: Dianne Dryer, Environmental Programs Coordinator
Juan Alvarez, Acting City Arborist
Terri Molakides, Police Commander
Jan Lanier, Police Dispatch Supervisor

Public present: Gilbert Berg

A. PUBLIC COMMENTS None.

B. REPORTS AND ANNOUNCEMENTS

Mary Kenney distributed copies of a letter to the City Council from the San Francisco Watershed Council listing their activities and requesting an annual funding contribution.

Mary Kenney requested that Commissioners seek nominations for Environmental Quality Awards. Forms were passed out. The deadline is July 15. Commissioners discussed the category of Cultural/Historical with regard to businesses.

Dianne Dryer reported that the Planning Commission will review the proposed plan for the Burgess Park renovation project at their meeting on June 16. Approximately 19 heritage trees may be removed as part of the plan. Environmental Commissioners may wish to attend the meeting to hear the presentation of the plan. The heritage tree removals will be discussed at the Environmental Commission meeting on July 2, 2003.

C. BUSINESS ITEMS

1. Approval of Minutes of May 7, 2003: Amended to change the second sentence in the second paragraph on page two to read "...co-owner next door had pruned on his side in the past." M/S: Keet/McBirney. Approved as amended.

2. Heritage Tree Removal Permit Appeal: 701 Laurel Street (#03-030)

Dianne Dryer reported that the City had applied to remove a Canary Island Pine tree adjacent to the Police radio antenna outside of Police Headquarters at 701 Laurel Street. The reason for the removal was that Police radio communications were being disrupted due to the tree trunk proximity to the antenna. Several branches had been pruned from the trunk, but the problem was not solved. Police Commander Molakides explained the history of the problems and the danger posed to public safety and the safety of Police Officers when this antenna doesn't function (it is a secondary, backup antenna). She also stated that the evaluation by the antenna installation and repair company verified the interference problem to be related to the tree. The company recommended removal of the tree. The cost of moving the antenna would be nearly \$100,000. The appellant, Mr. Berg, asked if the tree could be topped. The City arborist replied that topping would kill this pine tree. The whole tower receives messages, not just the top. Commissioners discussed the replacement trees, requesting that the City plant them in places which would help camouflage the antenna, yet not interfere with the antenna reception in the future. The Commission voted unanimously to deny the appeal (M/S McCarthy/Keet) and asked that staff notify Mr. Berg of plans for replacement trees and consider his comments.

3. Review and Recommendations on Heritage Tree Ordinance

Dianne Dryer reviewed the key findings of the report prepared by staff titled "12 Month Review of Heritage Tree Ordinance" dated May 28, 2003. Of the 206 heritage tree removal permit applications received during the first twelve months of the amended ordinance, 91% were approved (about the same as in previous years). Over half of these were approved due to poor structure, which involved potential hazard. Of those approved, 14% were declared dead by the City Arborist. Emergency removals involving trees that were in imminent danger of falling accounted for 10% of the approvals. Only 3% of the permit applications were denied.

Dianne Dryer pointed out that 68% of the trees permitted for removal were very large, old trees measuring 24 inches or more in diameter. Commissioners discussed the concern that more and more very large trees are becoming hazardous due to old age and disease. Many are dying of old age. Over the past six years or so, nearly 600 trees of a 24-inch diameter or larger have been removed with permits. Commissioners expressed the need for protecting trees of a smaller size so that they will grow to become large grand heritage trees in the future. Removals of medium to large healthy trees should be discouraged and prevented unless there is good cause. The ordinance provides several considerations to be used in determining what is good cause. Flexibility is necessary because each situation is unique.

Commissioners inquired if heritage tree ordinances in other Bay Area cities protect trees in the same range of the current Menlo Park ordinance. A survey of eight local cities was presented showing trees to be protected in the range of 9 inches to

16 inches in diameter. Commissioners stated that they believe the Menlo Park ordinance is reasonable and in line with other jurisdictions.

The Commissioners discussed the costs related to the heritage tree ordinance. Dianne Dryer noted that the cost for the staff City Arborist (including benefits) would be less than half of the cost for an outside consulting arborist. Other staff time for the first twelve months of the current ordinance involved developing and implementing new administrative procedures and record-keeping, publicity, noticing and answering general inquiries.

Commissioners discussed possible ways in which noticing of the public might be simplified or reduced to lower costs, but decided that the current procedures (two notices) were necessary to keep the public informed and allow them to comment.

Commissioners discussed the possibility of amending the ordinance to eliminate the special protection of redwoods as small as 10 inches in diameter. The City Arborist confirmed that redwoods grow fairly fast, as compared to oaks. Staff has experienced comments from the public indicating that redwoods are of value, but that since they are fast-growing and numerous, they shouldn't need protection at such a small size.

Mary Kenney suggested that section 13.24.010 Intent and Purpose be amended to include the words "and landscape heritage" inserted after the phrase "...in order to preserve the scenic beauty..." She also suggested that section 13.24.040 Permits (#6) be amended to include the words "age distribution" after the word "species".

The Commission voted unanimously (M/S McCarthy/Kenney) to recommend to the City Council that the ordinance be amended to eliminate the special protection of redwood trees in section 13.24.020 Heritage Tree Defined (#2), and to include the suggested language by Mary Kenney as amendments to Sections 13.24.010 and 13.24.020.

D. ADJOURNMENT

The meeting was adjourned at 10 p.m.