



**City and County of San Francisco
Department of the Environment
Urban Forestry Council**

MEETING MINUTES FINAL

**Friday, September 25, 2020, 8:30 a.m.
Remote meeting via web conference**

Refer to the “Remote Access to Information and Participation” section below for instructions.

Council Members: Dan Flanagan, Nicholas Crawford (Vice Chair, San Francisco Public Works), Jillian Keller, Morgan Vaisset-Fauvel, Igor Lacan, Ildiko Polony, Pamela Nagle, Edgar Xochitl Flores, Andrew Sullivan, Mike Sullivan, Blake Troxel (Presidio Trust), Damon Spigelman (San Francisco Public Utilities Commission), Oscar Hernandez-Gomez (San Francisco Planning Department), Chris Fischer (Port of San Francisco) and Matthew Stephens (San Francisco Recreation and Park Department).

Order of Business

Public comment will be taken before the Council takes action on any item.

1. Call to Order and Roll Call.

The meeting was called to order at 8:43 a.m.

Present: Vice Chair Crawford, Member Flanagan, Member Keller, Member Vaisset-Fauvel, Member Lacan, Member Polony, Member Xochitl Flores, Member Spigelman, Member Andrew Sullivan, Member Mike Sullivan, Member Stephens, Member Troxel, and Member Fischer, Excused: Member Nagle and Member Hernandez-Gomez.

2. Adoption of Minutes of the August 25, 2020 Urban Forestry Council Regular Meeting. (Explanatory Document: August 25, 2020 Draft Minutes) (Discussion and Action)

Upon a motion by Member Crawford, and a second by Member Mike Sullivan, the minutes were approved with the corrections of: the spelling of “Jon Swae” under Item 4, and the spelling of “Lacan.” (Ayes: Vice Chair Crawford, Member Flanagan, Member Keller, Member Vaisset-Fauvel, Member Lacan, Member Polony, Member Xochitl Flores, Member Spigelman, Member Andrew Sullivan, Member Mike Sullivan, Member Stephens, Member Troxel, and Member Fischer; Noes: None; Excused: Member Nagle and Member Hernandez-Gomez.)

There was no public comment.

3. General Public Comment: Members of the public may address the Council on matters that are within the Council's jurisdiction and are not on today's agenda.

There was no public comment.

4. Election of Urban Forestry Council Officers. (Discussion and Action)

Member Flanagan nominated Andrew Sullivan for the position of Chair of the Urban Forestry Council.

Peter Brastow confirmed that the election will be for only the Chair position of the Urban Forestry Council.

Vice Chair Crawford confirmed that he will stay in the position of Vice Chair.

Member Troxel seconded the nomination.

Vice Chair Crawford mentioned that Member Andrew Sullivan has a lot of experience on the Council and thinks he will bring a lot to the Chair position.

Member Keller asked how long Member Andrew Sullivan has been on the Council and if he could speak to his understanding of the Council's practices.

Member Andrew Sullivan answered that he has been on the Council for almost 12 years and that he has seen how the Council has developed its outreach and advocacy. He has also participated in the Committees and has been involved in the behind the scenes planning for meetings. His background is in landscape architecture and has a personal interest in the urban forest.

Member Flanagan asked to hear about Member Andrew Sullivan's most recent project.

Member Andrew Sullivan mentioned that he was been working with Member Troxel and the Presidio Trust. He added that he is excited to help grow the Council with the great foundation that Member Flanagan has built.

Member Flanagan mentioned his excitement that Member Andrew Sullivan is interested in this role due to his history with the Council and extensive background.

Member Polony asked about Member Andrew Sullivan's vision for the Council.

Member Andrew Sullivan mentioned that he would like to continue to engage with City stakeholders and build more awareness with other departments, the Board of Supervisors, and the Mayor's Office. He added that he would like to do outreach to the public to make them aware of the Council and work with other departments to secure funding for the urban forest.

There was no public comment.

Upon a motion by Member Flanagan, and a second by Member Troxel, the nomination of Member Andrew Sullivan for Chair of the Urban Forestry Council was approved. (Ayes: Chair Flanagan, Vice Chair Crawford, Member Keller, Member Vaisset-Fauvel, Member Lacan, Member Polony, Member Xochitl Flores, Member Spigelman, Member Mike Sullivan, Member Stephens, and Member Troxel; Noes: None; Excused: Member Fischer, Member Andrew Sullivan, Member Nagle and Member Hernandez-Gomez.)

5. Discussion on San Francisco Public Works Bureau of Urban Forestry Budget. Speaker, Nicholas Crawford, San Francisco Public Works (Discussion)

Vice Chair Crawford gave an overview of StreetTreeSF funding as well as what the funding supports.

Member Flanagan asked to clarify if changes in the budget are determined by changes in the City budget.

Vice Chair Crawford confirmed that this was his understanding.

Chair Andrew Sullivan mentioned that it was intended to lock in \$19M as the base funding.

Member Flanagan asked if there is a copy of the legislation text.

Vice Chair Crawford confirmed that he would find a copy of the text. He then continued to discuss recent impacts on the StreetTreeSF budget as well as next steps for the program.

Member Flanagan asked what percentage of the grid has been completed.

Vice Chair Crawford mentioned that two years into the project they were at 30%, but he will report back when he has the percentage for the third year.

Member Mike Sullivan asked if the map on the Urban Forestry website is correct because it looked like it is at 25%.

Vice Chair Crawford added that the blue areas on the maps were densest, so they were prioritized.

Member Mike Sullivan asked how often this map is updated.

Vice Chair Crawford confirmed that the updates are quarterly.

Member Vaisset-Fauvel asked how much of the budget can be set aside for tree planting.

Vice Chair Crawford added that the cost of tree planting also needs to be reduced and that the tree watering cost makes up a large part of this budget.

Member Vaisset-Fauvel mentioned that matching funding from grants that are state funded might be less readily available.

Vice Chair Crawford added that tree planting should be seen as a good tool for jobs and the environment as part of the City's recovery.

Chair Sullivan mentioned that a lot of bids have been coming in lower than expected.

Public Comment via Telephone:

The caller expressed that Public Works needs to try harder to plant San Francisco native plants. She referenced that a lot of trees on Sunset Boulevard are not native and that Public Works needs to try harder to plant native trees.

6. Discussion and possible action to recommend, for adoption by the Board of Supervisors, uniform criteria, rules, and procedures, governing determinations to remove Landmark trees pursuant to San Francisco Public Works Code Article 16 Section 810(f)(1). Speaker, Mike Sullivan (Explanatory Document, Public Works Code Article 16 Section 810(f)(1) and Memo re Proposed Changes to Article 16) (Discussion and Possible Action)

Member Mike Sullivan introduced the item and gave a history of the proposed changes.

Peter Brastow gave a summary of the changes.

Vice Chair Crawford asked if there is a guiding philosophy for this procedure.

Member Mike Sullivan confirmed that this is in the code and that landmark trees may only be removed if they are a hazard.

Member Troxel asked about the risk rating and if removal would only be possible depending on the severity of the rating. He expressed concern over differing ratings from risk assessors.

Member Vaisset-Fauvel mentioned that part of the permit process would involve an inspector from the City who reviews the permit and the report. The assessor has to be qualified to do a tree risk assessment.

Member Mike Sullivan clarified that the Director would still be responsible for making the decision on the removal.

Member Stephens recommended setting a standard threshold for the rating of hazardous trees.

Member Troxel recommended stating which version of the assessment should be used.

Member Vaisset-Fauvel mentioned that the new rating system is more appropriate for single trees and that assessors have to requalify every three years.

Member Mike Sullivan asked if the language should be changed.

Member Troxel mentioned that adding "according to the most recent version of the manual" may be helpful.

Member Stephens asked what Public Works uses.

Vice Chair Crawford added that he does not know.

Member Stephens suggested making sure that there is the same standard used by all City agencies.

Member Mike Sullivan asked if "based on the current ISA Tree Risk Assessment Manual" should be added.

Member Vaisset-Fauvel mentioned that there is currently only one manual.

Member Troxel asked if assessors are only requalified when their qualification expires, not when there is a new manual.

Member Vaisset-Fauvel confirmed this is true but that there will not be a new model.

Peter Brastow asked if in relation to the private property owner scenario, if a sentence should be added to say, "the director will also obtain a risk assessment."

Member Mike Sullivan asked what Vice Chair Crawford thinks.

Vice Chair Crawford asked how the threshold is defined.

Member Troxel confirmed that it is up to the owner if they would like to take action. He added it might be beneficial to add that it must be an extreme risk tree in order to be removed.

Vice Chair Crawford asked if, "if steps can be taken to mitigate the risk, those should be taken," should be added.

Member Mike Sullivan added that the Council cannot change the standard for what is a hazard tree. The task is to determine a process and what information needs to be provided.

Vice Chair Crawford added that the definition of a hazard tree is in Article 16.

Member Vaisset-Fauvel added that the risk assessment will help to determine when the risk needs to be mitigated and protect the tree.

Vice Chair Crawford added that if there are actions to mitigate, those would be outlined.

Member Mike Sullivan asked if the original language is sufficient.

Vice Chair Crawford asked if permits that are issued can be appealed.

Member Mike Sullivan added that he is unaware if that is currently in place or if the Council is able to state this.

Member Vaisset-Fauvel mentioned that the risk assessment will help when addressing questions raised.

Peter Brastow mentioned that the current proposed language addresses this in section 806.

Chair Andrew Sullivan asked about requiring extensive and expensive mitigation efforts.

Member Vaisset-Fauvel added that the goal is to preserve the trees.

Vice Chair Crawford added that landmark trees reframe priorities around development.

Chair Andrew Sullivan asked what the background is for this process development.

Member Mike Sullivan added that the code requires a process but that one had never been developed.

Peter Brastow confirmed this is the case.

Member Troxel asked who else is required to assess a landmark tree besides the Director.

Vice Chair Crawford asked if it would default to the Director of Public Works or the Director of Rec and Park depending on where it is.

Peter Brastow confirmed that it would be the Director of Public Works.

Member Troxel asked what information the Director would be working with.

Peter Brastow asked what is included in the permit process.

Vice Chair Crawford added that Public Works inspectors are TRAQ qualified and they would perform the assessment.

Member Mike Sullivan added that there is nothing that says the Director cannot obtain their own assessment.

Vice Chair Crawford clarified that regardless of where the tree is, the decision would be up to the Director of Public Works.

Member Mike Sullivan asked if there are any specific recommendations after this discussion.

Member Flanagan recommended that it should be written that the Director should obtain a risk assessment.

Peter Brastow shared the language that has been drafted.

Vice Chair Crawford added that some of the changes may be redundant.

Member Mike Sullivan asked if the current practice is to have a tree risk assessment done.

Vice Chair Crawford confirmed that the inspectors are TRAQ qualified.

Member Mike Sullivan suggested clarifying that this assessment must happen.

Vice Chair Crawford confirmed that it could be more clearly stated.

Member Mike Sullivan asked if the Council could move forward.

Vice Chair Crawford asked if the language could include clarification that the most current standard should be used.

Member Flanagan agreed that would be a good idea to add.

Member Mike Sullivan asked if language could be recommended.

Vice Chair Crawford asked for Member Troxel's opinion.

Member Troxel suggested adding, "according to the most recent version of the ISA tree risk assessment manual."

Member Mike Sullivan suggested connecting that to the language below it.

Vice Chair Crawford confirmed that the assessor would already be obtaining this.

Member Mike Sullivan added that Councilmembers have requested to make this more explicit.

Peter Brastow suggested adding, "the Director will also obtain such tree risk assessment."

Member Vaisset-Fauvel asked about the homeowner being responsible for the cost.

Vice Chair Crawford confirmed that the permit cost covers staff time.

Member Vaisset-Fauvel added that the process doesn't need to be restated, just the process for removing a landmark tree needs to be added.

Member Flanagan asked if this topic should be tabled.

Member Lacan agreed.

Member Mike Sullivan agreed.

Peter Brastow mentioned that he would work with Vice Chair Crawford and bring this back to the Council in October.

Public Comment Received via Email:
See attached comment from Nancy Wuerfel.

7. Hearing on nomination for Landmark Tree Status of the Pine (*Pinus sp.*), located at 2251 Filbert Street, San Francisco, CA 94123; Assessor's Block 0534, Lot 032. The Council will hold a hearing to determine whether the tree nominated at the above location meets the criteria for designation as a landmark tree to forward findings to the Board of Supervisors. (Explanatory Documents: Resolution File No. 2020-06-UFC, Nomination Form, Sullivan Evaluation, Nagle Evaluation, Keller Evaluation, Spigelman Evaluation, Vaisset-Fauvel Evaluation, Landmark Tree Committee Report, September 03, 2020 Landmark Tree Committee Meeting Draft Minutes) (Discussion and Action)

Member Mike Sullivan, Chair of the Landmark Tree Committee, gave an overview of the discussion and vote at the Committee meeting. He also clarified that the tree is most likely a canary island pine.

Member Vaisset-Fauvel agreed with this determination.

Member Mike Sullivan added that the owner would most likely welcome visitors.

Member Vaisset-Fauvel added that the canopy also matched a canary island pine.

Member Flanagan asked if there are other canary island pines in the City.

Member Mike Sullivan added that there are a few throughout the City.

Peter Brastow added that there are over 200 individuals currently in the StreetTreeSF network.

Vice Chair Crawford mentioned that he appreciated the hearing at the Landmark Tree Committee meeting.

Member Keller added that the tree has good structure and form.

Member Lacan asked about the consensus on the species.

Member Mike Sullivan confirmed that it is most likely a canary island pine. He asked if anything needs to be done to add the species to the resolution.

Peter Brastow confirmed that language could be added to the resolution.

Public Comment via Telephone:
The owner of the pine tree called to express her appreciation and her intentions to continue to care for the tree.

Upon a motion by Member Flanagan, and a second by Member Keller, the motion was approved. (Ayes: Chair Andrew Sullivan, Vice Chair Crawford, Member Keller, Member Flanagan, Member Vaisset-Fauvel, Member Lacan, Member Polony, Member Xochitl Flores, Member Spigelman, Member Mike Sullivan, Member Stephens, Member Troxel, and Member Fischer; Noes: None; Excused: Member Nagle and Member Hernandez-Gomez.)

8. Discussion of the Urban Forestry Council Strategic Plan. Speaker, Nicholas Crawford, Vice Chair of Urban Forestry Council (Explanatory Document: UFC Strategic Plan Priority Matrix) (Discussion)

Vice Chair Crawford spoke about efforts to find additional funding for urban forestry and explained potential next steps.

Member Keller asked what types of speakers he would like to have.

Vice Chair Crawford added that some sister cities could speak about how they established new funding sources and asked what others would suggest.

Member Xochitl suggested looking to where communities are coming together to support urban forestry through volunteering and other labor projects.

Member Fischer recommended looking to schools and potential projects with the school district.

Vice Chair Crawford agreed and added that highlighting green industry jobs as an option would be great.

Member Vaisset-Fauvel agreed that hearing from the communities to hear what they are currently doing would be informative.

Member Flanagan mentioned that he would send his ideas to Vice Chair Crawford.

Vice Chair Crawford added that he would collect feedback and ideas to move forward.

There was no public comment.

9. Committee Reports: (Discussion)

Planning & Funding Committee. Igor Lacan, Committee Chair.

Landmark Tree Ad Hoc Committee. Mike Sullivan, Committee Chair.

Member Lacan and Peter Brastow spoke about the presentation that Member Troxel gave on his work in the Presidio and recommended bringing this to the full Council.

Member Mike Sullivan spoke about the landmark tree removal process discussion and the pine tree that was addressed earlier in the meeting.

Peter Brastow added that the other trees nominated at the Landmark Tree Committee have been put on pause.

There was no public comment.

10. Staff Report. Peter Brastow, Urban Forestry Coordinator, San Francisco Department of the Environment (Discussion)

Peter Brastow spoke about the work that has been done on the Landmark Tree code and the continued work on the Climate Action Plan.

Chair Andrew Sullivan asked if the Climate Action Plan had been brought to the full Council.

Peter Brastow confirmed that it had been brought to the Council twice before.

There was no public comment.

11. Urban Forestry Council Member Announcements. (Discussion)

Vice Chair Crawford mentioned that he acquired 25 coast live oak trees and will be picking up 25 California buckeyes and 6 other trees that were all grown from acorns from Yerba Buena Island.

There was no public comment.

12. New Business/Future Agenda Items. (Discussion and Possible Action)

Peter Brastow mentioned that Chair Andrew Sullivan will be working on the agenda moving forward. He added that the annual report will be brought to the Planning and Funding Committee meeting on October 6. Member Troxel's Presidio presentation as well as a Friends of the Urban Forest planting presentation might be future agenda items.

There was no public comment.

13. Adjournment.

The meeting was adjourned at 11:03 a.m.

The next meeting of the Urban Forestry Council is scheduled for Friday, October 27, 2020 at 6:00 p.m. In compliance with the San Francisco Health Officer's Order No. C19-07c, directing all individuals to "shelter in place", Public meetings, panels and other advisory bodies will continue on a remote conferencing basis only. Find out about upcoming deadlines, public hearings, and meetings. Search the SFEnvironment.org website archived minutes and agenda.

Remote Access to Information and Participation

This meeting will be held remotely using video conferencing, through the WebEx Meetings platform, and by telephone for members of the public who are unable to attend using computers or smart devices.

Attending the Meeting: Watch or Listen

Members of the public have the following options for attending the meeting:

Option 1: Watch the meeting using a computer or smart device by clicking on the following link:

<https://ccsf.webex.com/ccsf/onstage/g.php?MTID=ea3fcbce2da96b6fb5393c92ad58562e2>

- If you are able to and would like to watch via your computer, please follow these instructions: i) Click on the link above; ii) Enter your first name, last name, and email address if desired; iii) Click "Join by Browser" (directly beneath the "Join Now" button);
- If you are able to watch via your smart mobile device: i) Download the Webex Meetings application; ii) Click on the link above; iii) Click "Join"; iv) Enter your name and email; v) Click "Ready to Join".

Option 2: Join the meeting by phone if you do not have access to a computer or smart device.
Dial: **415-655-0001** and then enter the Access Code: **146 594 6504**

Participating During Public Comment

Members of the public will have opportunities to participate during public comment. The public is asked to wait for the particular agenda item before making a comment on that item. Comments will be addressed in the order they are received. When the moderator announces that the Committee is taking public comment, members of the public can:

Participate over the phone by pressing *3 (this step is very important, as it will activate the "Raise Hand" icon in the Participant window).

Depending on the number of people also in line ahead of you, you may have to wait before it is your opportunity to speak. When it is your turn, you will be notified that your line has been unmuted, and it will be your opportunity to speak. Your line will be muted again when your allotted time expires.

In accordance with Governor Gavin Newsom's statewide order for all residents to "Stay at Home" - and the numerous local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus. Copies of explanatory documents are available, 1) on the Urban Forestry Council webpage <https://sfenvironment.org/about/taskforce/urban-forestry-council>; or (2) upon request to the Commission Affairs Manager, at telephone number 415-355-3709, or via e-mail at katie.chansler@sfgov.org.

Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda, including to request items they may wish to be on a future agenda. Public comment will be taken following each agenda item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

NOTE: Persons unable to attend the meeting may submit to the Committee, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of Committee Members. Any written comments should be sent to: Commission Affairs Manager, Department of the Environment, katie.chansler@sfgov.org, by 5:00 p.m. on the day prior to the hearing. Written public comment received by the Council will be posted as an attachment to the minutes.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agenda item, the Committee is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or

3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council meetings will be held virtually. The Committee meeting rooms are closed.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the Department of Environment at (415) 355-3709 or katie.chansler@sfgov.org to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability at (415) 554-6789 or (415) 554-6799 (TTY) for additional information.

Language Access

Per the Language Access Ordinance (Chapter 91 of the San Francisco Administrative Code), Chinese, Spanish and or Filipino (Tagalog) interpreters will be available upon requests. Meeting Minutes may be translated, if requested, after they have been adopted by the Commission. Assistance in additional languages may be honored whenever possible. To request assistance with these services please contact the Commission Affairs Manager at 415-355-3700 or katie.chansler@sfgov.org, at least 48 hours in advance of the hearing. Late requests will be honored if possible.

語言服務

根據語言服務條例(三藩市行政法典第91章)·中文、西班牙語和/或菲律賓語(泰加洛語)傳譯人員在收到要求後將會提供傳譯服務。翻譯版本的會議記錄可在委員會通過後透過要求而提供。其他語言協助在可能的情況下也將可提供。上述的要求·請於會議前最少48小時致電 415-355-3709或電郵至katie.chansler@sfgov.org向委員會秘書提出。逾期提出的請求·若可能的話·亦會被考慮接納。

Acceso A Idioma

De acuerdo con la Ordenanza de Acceso a Idiomas "Language Access Ordinance" (Capítulo 91 del Código Administrativo de San Francisco "Chapter 91 of the San Francisco Administrative Code") intérpretes de chino, español y/o filipino (tagalo) estarán disponibles de ser requeridos. Las minutas podrán ser traducidas, de ser requeridas, luego de ser aprobadas por la Comisión. La asistencia en idiomas adicionales se tomará en cuenta siempre que sea posible. Para solicitar asistencia con estos servicios favor comunicarse con el Secretario de la Comisión al 415-355-3709, o katie.chansler@sfgov.org por lo menos 48 horas antes de la reunión. Las solicitudes tardías serán consideradas de ser posible.

Access Sa Wika

Ayon sa Language Access Ordinance (Chapter 91 ng San Francisco Administrative Code), maaaring mag-request ng mga tagapagsalin sa wikang Tsino, Espanyol, at/o Filipino (Tagalog). Kapag hiniling, ang mga kaganapan ng miting ay maaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon. Maari din magkaroon ng tulong sa ibang wika. Sa mga ganitong uri ng kahilingan, mangyaring tumawag sa Clerk ng Commission sa 415-355-3709, o katie.chansler@sfgov.org sa hindi bababa sa 48 oras bago mag miting. Kung maari, ang mga late na hiling ay posibleng pagbibigyan.

**Know Your Rights Under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, City Hall, Room 244, One Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-5163; E-mail: soff@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at www.sfgov.org/ethics.

Peter Brastow, Healthy Ecosystems, Biodiversity and Urban Forestry Coordinator
TEL: (415) 355-3733; FAX: 415-554-6393

Subject: UFC meeting 9/25/20, my comments on item 6
Date: Thursday, September 24, 2020 at 2:49:49 PM Pacific Daylight Time
From: Nancy Wuerfel
To: Chansler, Katie (ENV)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Katie,

Please forward this email today to the members of the Urban Forestry Council containing my comments regarding item 6 - Discussion and possible action to recommend, for adoption by the Board of Supervisors, uniform criteria, rules, and procedures, governing determinations to remove Landmark trees pursuant to San Francisco Public Works Code Article 16 Section 810(f)(1).

I am providing to the Council the appropriate sections of the PUBLIC WORKS CODE SECTION 810 - Landmark Trees - that are proposed to be revised so that everyone can see the context of these changes. I have underlined the added wording, and deletions have a strike through.

I have two requests for changes to be considered by the Council. *First, please add "because of a hazard" that I show highlighted in section (f)(1)(A). There cannot be any misunderstanding that just the "desire" of the owner or agency is not enough - there must be a hazard for this desire. Second, I do not see the value of deleting either of the sections below, since the Board of Supervisors may not get to this work in a timely fashion, and there needs to be some rules governing removal in the interim. Please leave this wording in place.*

I thank the Council for considering my comments on this important matter.

Sincerely,

Nancy Wuerfel

(f) Removal Criteria and Procedures.

(1) **Removal Criteria.** The Urban Forestry Council shall develop and recommend for adoption by the Board of Supervisors uniform criteria, rules, and procedures governing determinations to remove landmark trees. Removal criteria shall require consideration and written findings on all of the factors related to the landmark tree as set forth in Section 810(g)(4), below, and shall not authorize the removal of a landmark tree unless it constitutes a hazard tree pursuant to Section 802(o). Public notice, in accordance with the requirements of Section 806(a)(2) and Section 806(a)(3), and a hearing shall be required.

A. "If either a private property owner or a City agency desires to remove a Landmark Tree on its respective property **BECAUSE OF A HAZARD**, the owner or the agency, respectively, shall apply to the Department for a Landmark Tree Removal Permit and shall obtain a tree risk assessment performed by an ISA certified arborist who is Tree Risk Assessment Qualified. The assessment shall inform the Director's determination of whether or not a Landmark Tree is a hazard tree, as per Section 802.

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B. The Director shall incorporate the tree risk assessment into the written finding that determines (as per Section 802) whether the Landmark Tree is a hazard tree. The Director's finding shall include an explanation of whether the hazardous condition could be mitigated by another method (e.g., cabling or heavy pruning) other than total removal of the tree. If the Director's finding indicates that the hazardous condition could be mitigated by an action or actions other than total removal of the tree, then the finding shall include specific recommendations for such actions.

(2) **Removal on Private Property; Special Permit Required.** A property owner who desires a permit to remove a landmark tree shall apply to the Department on the designated form. Such application must be accompanied by an administrative fee in accordance with a fee schedule adopted by the Director. Except in the case of manifest danger and immediate necessity, landmark trees on private property shall be removed only after the Director's determination and issuance of a permit, following a public hearing. If the Director determines that removal of a landmark tree is necessary or permissible in accordance with the adopted removal criteria, the Director may impose such reasonable conditions on the permit for removal as he or she deems necessary to compensate for the loss of the tree, including but not limited to the replacement value of the tree, administrative costs, and contribution to the Adopt-A-Tree Fund. The Director's determination shall be final and appealable to the Board of Appeals. Any person seeking permission to remove a landmark tree must pay all costs related to the permit process and public hearings. ~~Pending adoption of criteria for removal of landmark trees, the Department shall rely on the general criteria set forth in Section 810(f)(4)(A) (F).~~

(3) **Removal on City-owned Property; Special Approval Required.** Removal of a landmark tree(s) on City property under the jurisdiction of any City agency, commission, or department shall be subject to the criteria, rules, and procedures adopted by the Board of Supervisors pursuant to Section 810(f)(1), above, including the process for public notice and a hearing prior to removal of the tree. After following said criteria, rules, and procedures, the subject City agency, commission, or department shall make its decision on removal of a landmark tree(s). Such decision is final and nonappealable. ~~Pending the Board of Supervisor's adoption of the criteria, rules, and procedures pursuant to Section 810(f)(1), the agency, commission, or department shall follow the general criteria of Subsection (f)(4)(A) (F) and similar rules and procedures for removal of street trees as set forth in Section 806(e) and for removal of hazard trees as set forth in this Section 806(a)(4).~~ This Subsection shall not supercede the Charter jurisdiction that has been granted to any City agency, commission, or department.

(4) **Required Findings.** As part of any determination that authorizes removal of any landmark tree, the City entity making such determination shall, in addition to the adopted removal criteria, consider and make written findings on each of the following factors related to the tree:

(A) Size, age, and species;

(B) Visual characteristics, including the tree's form and whether it is a prominent landscape feature;

(C) Cultural or historic characteristics, including whether the tree has significant ethnic appreciation or historical association or whether the tree was part of a historic planting program that defines neighborhood character;

(D) Ecological characteristics, including whether the tree provides important wildlife habitat, is part of a group of interdependent trees, provides erosion control, or acts as a wind or sound barrier;

(E) Locational characteristics, including whether the tree is in a high traffic area or low tree density area, provides shade or other benefits to multiple properties, and is visually accessible from the public right-of-way; and

(F) One or more criteria that qualify the tree as a hazard tree pursuant to Section 802(o).

(G) Whether the tree appears to have had routine maintenance and/or major maintenance as defined in Section 802.

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Add into appropriate footnotes in the code: "This ordinance was modified by the Board of Supervisors on recommendation from the Urban Forestry Council on X Date etc. etc."

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