

From: [Brastow, Peter \(ENV\)](#)
Cc: [Tanenberg, Diedre \(ENV\)](#)
Subject: Fw: Request re: re: Urban Forestry Council Meeting 2/22/22 – Agenda Item 8 – Landmark Tree status of Giant Sequoia at 3344 Folsom
Date: Tuesday, February 22, 2022 2:15:45 PM

UFC members,
Please see public comment email below.

Peter Brastow
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sfenvironment.org/biodiversity
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[FIND the Wild](#) [TEND the Wild](#)

[Why should we plant native plants?](#)

When we see land as a community to which we belong, we may
begin to use it with love and respect. – Aldo Leopold

From: Robert Ormiston, Attorney <bob@reolawca.com>
Sent: Tuesday, February 22, 2022 1:15 PM
To: Brastow, Peter (ENV) <peter.brastow@sfgov.org>
Subject: Re: Request re: re: Urban Forestry Council Meeting 2/22/22 – Agenda Item 8 – Landmark Tree status of Giant Sequoia at 3344 Folsom

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Dear Mr. Brastow,

This email is written on behalf of the adjoining property owners at 3348 Folsom Street, Michael Manuel Castro and Katherine May Castro, Trustees who strongly oppose Mr. Patel's request to have his giant sequoia tree designated a Landmark tree since this tree is a Hazard Tree (in addition to the characteristics of the tree itself that do not warrant Landmark designation per the findings of the Landmark Tree Ad Hoc Committee on February 3, 2022).

Per SF Public Works Code Section 810(f)(4)(F), one of the criteria to determine if a tree should be nominated for designation as a Landmark tree is whether the tree is a Hazard tree pursuant to SF Public Works Code Section 802. Per SF Public Works Code 802, a tree is a Hazard tree if it damages

an existing structure.

Per the Report of MG Constructors & Engineers, Inc. dated August 23, 2021 (this report is part of the record), the structural engineer concludes that the giant sequoia tree at 3344 Folsom Street “is without doubt causing serious structural damage and lifting the foundation” of the Castros’ next door home at 3348 Folsom Street. A detailed description of the damage, photos and repair estimate are part of the record. The initial repair estimate is about \$65,000 (which does not include all of the damage). So, there is substantial damage occurring to the Castros’ home from the giant sequoia tree. The Structural Engineer further concludes that the giant sequoia tree at 3344 Folsom Street “should be in our professional opinion removed in its entirety.”

The Arborist Roy C. Leggitt, III (Certified Arborist WE-0564A) examined the tree roots and damage and concluded that the giant sequoia tree at 3344 Folsom Street is causing damage to the Castros’ home including the garage floor, concrete slab, foundation, sewer, and hot water heater. (See Roy C. Leggitt, III’s reports which are part of the record). Due to the close proximity of the giant sequoia tree to the Castros’ home (only about 4.5 feet away), Roy C. Leggitt, III has concluded that there is “no means to mitigate or reduce risk of root damage through any tree service recommendation except tree removal.” (See Roy C. Leggitt, III’s reports which are part of the record).

So, per SF Public Works Code 802, the giant sequoia tree at 3344 Folsom Street should be considered a Hazard tree.

Request is made that it would be appropriate and important for the Urban Forestry Council’s findings to include a finding on the criteria in SF Public Works Code Section 810(f)(4)(F) of whether the giant sequoia tree at 3344 Folsom Street is a Hazard Tree. It is respectfully suggested that this finding should be that the giant sequoia tree at 3344 Folsom Street is a Hazard Tree given the overwhelming evidence in the record showing the tree is causing substantial damage to the Castros’ home.

Can you please confirm that you have received this email.

Thank you,

Robert E. Ormiston, Esq.
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