



ENVIRONMENTAL QUALITY COMMISSION AGENDA

Regular Meeting
(Advanced from September 24, 2014)
Wednesday, September 17, 2014 at 6:30 PM
City Administration Building
701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER

ROLL CALL – Allan Bedwell (Vice Chair), Chris DeCardy, Kristin Kuntz-Duriseti, Scott Marshall (Chair), Deborah Martin, Mitchel Slomiak, Christina Smolke

A. PUBLIC COMMENT (Limited to 30 minutes)

Under “Public Comment,” the public may address the advisory body on any subject not listed on the agenda within the jurisdiction of the Commission. Each speaker may address the Commission once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The Commission cannot act on items not listed on the agenda and, therefore, the Commission cannot respond to non-agenda issues brought up under Public Comment other than to provide general information. The public may address the Commission regarding items listed on the agenda during the consideration of each item.

B. REGULAR BUSINESS

- B1. Approve August 27, 2014 Minutes ([Attachment](#))
- B2. Discuss and Review Previous EQC Recommendation to City Council on the City’s Heritage Tree Ordinance ([Attachment](#))
- B3. Informational Staff Update on City Recycling Rates

C. REPORTS AND ANNOUNCEMENTS

- C1. Staff Update on Environmental Policies to be Considered by City Council
- C2. Commission Subcommittee Reports and Announcements
- C3. Discuss Future Agenda Items

D. ADJOURNMENT

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At every Special Meeting of the Commission, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during consideration of the item.

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ENVIRONMENTAL QUALITY COMMISSION MINUTES

Regular Meeting
Wednesday, August 27, 2014 at 6:30 PM
City Administration Building
701 Laurel Street, Menlo Park, CA 94025

The meeting was called to order by Chair Marshall at 6:34 p.m.

ROLL CALL:

Present: Allan Bedwell (Vice Chair), Chris DeCardy, Kristin Kuntz-Duriseti, Scott Marshall (Chair), Deborah Martin, Mitchel Slomiak

Absent: Christina Smolke

A. PUBLIC COMMENT – None

B. REGULAR BUSINESS

Commissioner Kuntz-Duriseti arrives prior to item B1 discussion

B1. Approve July 23, 2014 Minutes

ACTION: Motion and Second (Slomiak/Bedwell) to approve the July 23, 2014 minutes as presented, passes (4-0-3), (Absent: Martin, Smolke, Abstain: DeCardy)

Commissioner Martin arrives after item B1 discussion

(Chair moved item B3 and B4 before item B2)

B3. Discuss Environmental Quality Commission New Two-Year Work Plan for 2014-2016

ACTION: Motion and Second (Bedwell/Marshall) to finalize the discussion and editing of the EQC new two-year work plan as captured by staff during the discussion and for the Commission to approve of the work plan as amended, passes (6-0-1), (Absent: Smolke).

B4. Discuss and Potentially Remove and Create New Environmental Quality Commission Subcommittees and Appoint Members to Subcommittees

ACTION: Motion and Second (Bedwell/Martin) to amend the current subcommittees to align with the five priorities identified in the EQC's new 2014-2016 work plan. New

subcommittees, termination of old subcommittees and membership in new subcommittees was approved as captured by staff during the discussion , passes (6-0-1), (Absent: Smolke).

B2. Discuss and Identify Potential Improvements to Menlo Park's Street Tree Planting Program

ACTION: No formal action was taken on this item. The Commission discussed the potential for City staff and community members to distribute information regarding the opportunity to plant trees in vacant spots on City owned rights-of-way to utilize available, unused City budget for planting additional trees in these spaces. In addition, the Commission discussed raising these and other questions during the next scheduled Arborist Report to the Commission.

B5. Discuss and Consider Rescheduling the September, November, and December Environmental Quality Commission Meetings

ACTION: Motion and Second (Kuntz-Duriseti/Marshall) to (1) reschedule the September 24th meeting to September 17th, (2) cancel the November meeting, and (3) reschedule the December 24th meeting to December 17th, passes (6-0-1), (Absent: Smolke).

Commissioner Martin leaves meeting after item B5 discussion

C. COMMISSION REPORTS AND ANNOUNCEMENTS

The following updates were received by the Commission:

C1. Staff Update on Environmental Policies to be Considered by City Council

C2. Commission Subcommittee Reports and Announcements

C3. Discuss Future Agenda Items

C. ADJOURNMENT

The meeting was adjourned at 9:32 p.m.

Meeting minutes taken by Chris DeCardy, Environmental Quality Commissioner

Meeting minutes prepared by Vanessa Marcadejas, Environmental Programs Specialist



September 5, 2012

To: Environmental Quality Commissioners

From: Heritage Tree Subcommittee

Subject: Discuss and Approve Recommendations to City Council on Changes to the Heritage Tree Ordinance and Tree Replacement Policy.

Potential Environmental Quality Commission (EQC) Action

Discuss and approve recommendations to City Council on changes to the Heritage Tree Ordinance and tree replacement policy.

Background

Heritage trees represent a valuable city resource. These large trees protect and preserve the scenic beauty and natural environment of the city, prevent erosion of topsoil and sedimentation into waterways, encourage quality development, provide shade and wildlife habitat, counteract pollutants in the air, and decrease wind velocities and noise. Menlo Park has a Heritage Tree Ordinance in place with the primary goal of ensuring a significant population of large, healthy trees over the long term in the city.

The Environmental Quality Commission’s work plan has identified the preservation of heritage trees and the management and healthy renewal of the City’s urban canopy as a priority. The Environmental Quality Commission receives quarterly arborist reports from the City Arborist, and hears appeals from city residents on heritage tree removal permits as part of its regular duties. Through these interactions with City staff and residents, the Environmental Quality Commissioners felt that there were likely changes that could be made to the Heritage Tree Ordinance and city policies regarding tree removal and replacement that would improve the broader goal of maintaining a healthy urban canopy in Menlo Park. A Heritage Tree Subcommittee composed of Commissioners Marshall, Scott, and Smolke were tasked with studying the issues and coming back to the Environmental Quality Commission with a set of recommendations. Based on several discussions with the City Arborist and City Staff, the Heritage Tree Subcommittee is providing a set of proposed ordinance and procedural changes for the Environmental Quality Commission to consider.

Potential Recommended Changes to the Heritage Tree Ordinance and Tree Replacement Policy

The Heritage Tree Subcommittee has discussed issues in six general areas related to the Heritage Tree Ordinance and city policies regarding tree replacement.

1. Include the Environmental Quality Commission as Part of the Planning Commission’s Preliminary Building Approval Process

The subcommittee is examining changes that can be made to the development approval process that include Heritage Tree removals.

City Staff is currently working on documenting the existing development approval process that involves Heritage Tree removals. This document will be shared with the Heritage Tree Subcommittee once complete, and will be a useful tool for the Subcommittee when evaluating possible improvements. One consideration that has been discussed is providing the EQC with an opportunity to review development plans that involve the removal of Heritage Trees under specified criteria or circumstances that would trigger such a review process. This would mean that the EQC does not need to review all development permits involving a Heritage Tree removal.

Other recommendations that are being discussed include charging a mitigation fee for development projects where healthy heritage trees are removed within the building area and installing street trees where voids exist.

Status: No action needed as the subcommittee is still working through exact recommendations with City Staff.

2. Better Enforcement of Tree Replacement After Heritage Tree Removal is Approved

The subcommittee is proposing a number of procedural changes and changes to the Heritage Tree Ordinance that will make tree replacement an enforced requirement of the ordinance. The proposed changes are as follows:

- a. Modify the Heritage Tree Ordinance to include tree replacement (minimum 15 gallon tree) as a requirement. If there is not an appropriate spot on the property for planting a replacement tree (based on approval by the City Arborist), a fee will be charged that will go towards planting two trees on city property (\$800).
- b. At the time of permit approval, the resident may select to not plant a replacement tree on their property and instead pay a fee that will go towards planting two trees on city property (\$800).
- c. Increase the time for tree replacement to allow for a thoughtful, unhurried, educated tree planting process. For approved construction projects, tree planting should be required as part of the final inspection.
- d. Modify city procedure so that after one month a reminder notification is sent out and after three months another notice is sent out with the contact number of a city staff member who will inspect the newly planted tree. If no tree has been planted at the time of inspection, then a fine that is more than the cost of planting two replacement trees (>\$1,200) will be levied.

- e. Include an information sheet on proper planting techniques with the tree permit and/or post such information on the city's website.
- f. Send a notice out to neighbors when a permit has been approved about the heritage tree removal and replacement policy, encouraging them to contact city staff with concerns or questions.

Status: Discuss and approve recommendations to the City Council on changes to the Heritage Tree Ordinance.

3. Determination of the Value of a Heritage Tree

The subcommittee is proposing to modify the method by which the value of a heritage tree is determined to one that is based on the circumference of the tree. A method that multiplies the tree's circumference by a standard factor (i.e., \$50/circumference inch) will be simpler to implement and more intuitive to the city residents. This new tree valuation method should be used to determine violation fines and be specifically indicated on the Heritage Tree Ordinance. In addition, if the tree has already been removed prior to city inspection, a violation fine will be charged based on the City Arborist's estimation of the tree's circumference or \$10,000, whichever is greater.

Status: Discuss and approve recommendations to the City Council on changes to the Heritage Tree Ordinance.

4. Procedures to Allow for Removal of Undesirable Trees

The subcommittee is proposing a number of procedural changes and changes to the Heritage Tree Ordinance that will encourage the removal and replacement of undesirable trees. The proposed changes are as follows:

- a. Modify the procedure for removal of an undesirable tree such that an inspection by the City Arborist and a replacement tree are still required, but the permit fee (if approved by the City Arborist) is waived.
- b. City Arborist to update and provide an approved list of undesirable trees for posting with the Heritage Tree Ordinance.

Status: Discuss and approve recommendations to the City Council on changes to the Heritage Tree Ordinance.

5. Replacement of Existing City Trees in the Urban Canopy

The subcommittee is proposing a number of procedural changes to the city's tree replacement policies that will encourage resident acceptance and adoption of new city trees. The proposed changes are as follows:

- a. Notify residents with an informational mailer that describes the tree replacement process; in particular, describing that the city trees in the area are reaching the end of their life cycle and that the city will plant new trees of mixed species with similar aesthetic qualities as the replaced trees, but without some of the negative attributes.
- b. Reach out to residents in targeted areas by knocking on doors and asking if the residents would like a tree planted in front of their house on the public right-of-way.

Status: No action needed. City Arborist will update EQC on progress as part of the October quarterly report.

6. Selection of Climate-Appropriate Replacement Trees

The subcommittee is proposing procedural changes to the city's tree replacement policies that will encourage that replacement trees be climate appropriate and/or drought tolerant. The City Arborist will update the tree replacement list and this will be made available with tree removal permits and the city's website.

Status: No action needed. City Arborist will update list and present draft as part of the October quarterly report.

Policy Issues

Some of the proposed actions would represent changes to the City's Heritage Tree Ordinance. Some of the proposed actions would represent changes to city policies and procedures around city tree replacement.