# Environmental Quality Commission

## SPECIAL MEETING AGENDA

**Date:** 9/30/2015
**Time:** 6:30 p.m.
**City Hall/Administration Building**
**City Council Conference Room, 1st Floor**
**701 Laurel St., Menlo Park, CA 94025**

**A. Call To Order**

**B. Roll Call – Barnes, Chair Bedwell, DeCardy, Kuntz-Duriseti, Marshall, Vice Chair Martin, Smolke**

**C. Public Comment**

Under "Public Comment," the public may address the Commission on any subject not listed on the agenda. 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.

**D. Regular Business**

D1. Informational presentation on PG&E Renewable Power Efforts and Options, by Sapna Dixit with Pacific Gas and Electric Company (PG&E) - *30 mins*

D2. Discuss EQC 2-Year work plan and subcommittee assignments, and possibly reassign subcommittee members (Attachment) - *30 mins*

D3. Discuss and potentially make recommendations to the General Plan Advisory Committee (GPAC) to incorporate sustainability goals into the General Plan - *30 mins*

D4. Approve a letter drafted by the CAP Subcommittee regarding the Annual Greenhouse Gas (GHG) Emissions Inventory and Climate Action Plan (CAP) update - *30 mins*

D5. Update on the request to remove seven heritage trees at 133 Encinal Avenue (Attachment) - *10 mins*

D6. Approve August 26, 2015 Environmental Quality Commission meeting minutes (Attachment) – *2 mins*

D7. Discuss and possibly change EQC meeting dates for 2015 (Attachment) – *5 mins*

## E. Committee/Subcommittee Reports

E1. Update from the Environmental Quality Commission

E2. Update from the Water Resources Subcommittee

E3. Update from the San Francisquito Subcommittee

E4. Update from the Climate Action Plan (CAP) Subcommittee

E5. Update from the Heritage Tree Ordinance Subcommittee

E6. Update from the General Plan Subcommittee

## F. Reports and Announcements

F1. Update on the Water Efficient Landscaping Ordinance

F2. Update on the Special Meeting to be scheduled regarding heritage trees at 1020 Hermosa Way

## G. Adjournment

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at www.menlopark.org and can receive e-mail notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting Heather Abrams, Environmental Services Manager, at 650-330-6765. (Posted: 9/25/2015)

At every Regular Meeting of the Commission, in addition to the Public Comment period where the public shall have the right to address the Commission on any matters of public interest not listed on the agenda, 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 the Commission's consideration of the item.

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.

Any writing that is distributed to a majority of the Commission by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the City Clerk's Office, 701 Laurel St., Menlo Park, CA 94025 during regular business hours.

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CITY OF MENLO PARK

## STAFF REPORT

**Environmental Quality Commission**
**Meeting Date:** **9/30/2015**
**Staff Report Number:** **15-004-EQC**

**Regular Business:** **Discuss EQC 2-year work plan and subcommittee assignments, and possibly reassign subcommittee members**

### Recommendation

Staff recommends the commission review the EQC 2-Year Work Plan and subcommittee assignments, and possibly reassign subcommittee members to balance assignments and align with EQC member priority topics.

### Policy Issues

The proposed action is consistent with City policies.

### Background

The EQC 2-Year Work Plan (Attachment A) and subcommittee assignments (Attachment B) were approved by City Council on March 24, 2015. Priorities identified for the 2014-2016 work plan include: Water Resources Policy, San Franciscquito Creek, Climate Action Plan (CAP), Heritage Tree Ordinance, and General Plan Update.

### Analysis

Chair Bedwell will provide City Council with a quarterly update on October 20, 2015, which will include the EQC 2-Year Work Plan and subcommittee assignment overview.

### Impact on City Resources

There are no additional City resources required for this item.

### Environmental Review

An Environmental Review is not required for this item.

### Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

**Attachments**

A. EQC 2-Year Work Plan 2014-2016
B. 2014 EQC Subcommittee List

Report prepared by:
Sheena Ignacio, Environmental Services Specialist

# Commission Work Plan Guidelines

**Step 1** Review purpose of Commission as defined by Menlo Park Council Policy 3-13-01.

**Step 2** Develop a mission statement that reflects that purpose.

**Step 3** Discuss and outline any priorities established by Council.

**Step 4** Brainstorm goals, projects, or priorities of the Commission and determine the following:

A. Identify priorities, goals, projects, ideas, etc.
B. Determine benefit, if project or item is completed
C. Is it mandated by State of local law or by Council direction?
D. Would the task or item require a policy change at Council level?
E. Resources needed for completion? (Support staff, creation of subcommittees, etc.)
F. Completion time? (1-year, 2-year, or longer term?)
G. Measurement criteria? (How ill you know you are on track? Is it effective?, etc.)

**Step 5** Prioritize projects from urgent to low priority.

**Step 6** Prepare final Work Plan for submission to Council for review and approval in the following order:
- Work Plan cover sheet, Listing of Members, Priority List, Work Plan Worksheet – Steps 1 through 8

**Step 7** Use your “approved” work plan throughout the term of the plan as a guide to focus in on the work at hand

**Step 8** Report out on work plan priorities to the City Council, which should include:

A. List of “approved” priorities or goals
B. Status of each item, including any additional resources required in order to complete
C. If an item that was on the list is not finished, then indicate why it didn’t occur and list out any additional time and/or resources that will be needed in order to complete

## Environmental Quality Commission

*Mission Statement*

The Environmental Quality Commission is charged primarily with advising the City Council on matters involving environmental protection, improvement, and sustainability.

# Environmental Quality Commission
# Work Plan for 2014-2016

# Commission Members Listing

Commissioner (Chair) Scott Marshall

Commissioner (Vice Chair) Allan Bedwell

Commissioner Chris DeCardy

Commissioner Kristin-Kuntz Duriseti

Commissioner Deborah Martin

Commissioner Mitchel Slomiak

Commissioner Christina Smolke

# Environmental Commission
# Priority List

The Environmental Quality Commission has identified the following priorities to focus on during 2014-2016:

| | |
|---|---|
| **1.** | **Water Resource Policy**-Continue advocacy for responsible water resource management policy or strategy, including evaluating options for aquifer management, water transfers and purchases, water conservation, and water use. |
| **2.** | **San Francisquito Creek**-Research and evaluate alternatives for flood and erosion control that achieve the City's resource conservation goals for the creek. |
| **3.** | **Climate Action Plan (CAP)**-Implement CAP initiatives, evaluate and advocate new initiatives and prioritized City council transportation and development metrics to achieve or exceed the City's greenhouse gas (GHG) reduction target. |
| **4.** | **Heritage Tree Ordinance**-Improve the Heritage Tree Ordinance and heritage tree appeal process to preserve and maintain the urban canopy. |
| **5.** | **General Plan Update**-Improve the sustainability of the City's General Plan consistent with the EQC mission and City Council priorities (with focus on land use, building, and transportation). |

# Environmental Quality Commission
# Work Plan Worksheet

**Step 1**

| | |
|---|---|
| Review purpose of Commission as defined by Menlo Park Council Policy 3-13-01 | The EQC is charged with advising the City Council on the following matters:<br><br>• Advising on programs and policies related to protection of natural areas, recycling and solid waste reduction, environmentally sustainable practices, air and water pollution prevention, climate protection, and water and energy conservation.<br>• Preserving heritage trees, expanding the urban canopy, using best practices to maintain City trees, and making determinations on appeals of heritage tree removal permits<br>• Organizing annual Arbor Day Tree Planting event and continuing to support and recognize exemplary environmental stewardship throughout the community. |

**Step 2**

| | |
|---|---|
| Develop or review a Mission Statement that reflects that purpose | The Environmental Quality Commission is charged primarily with advising the City Council on matters involving environmental protection, improvement, and sustainability. |

**Step 3**

| | |
|---|---|
| Discuss any priorities already established by Council | • Continue work on the General Plan Update<br>• Evaluate the City's Water Policy, including resources, uses, and conservation<br>• Make gains in our Climate Action Plan, reducing greenhouse gas emissions |

**Step 4** **The goals and priorities identified below are not listed in order of magnitude.*

| *Brainstorm goals, projects or priorities of the Commission | Benefit, if completed | Mandated by State/local law or by Council direction? | Required policy change at Council level? | Resources needed for completion? Staff or creation of subcommittees? | Estimated Completion Time | Measurement criteria How will we know how we are doing? |
|---|---|---|---|---|---|---|
| **Water Resource Policy**-Continue advocacy for responsible water resource management policy and strategy, including evaluating options for aquifer management, water transfers and purchases, water conservation, and water use. | • Research, engage, and advocate for a framework for city water management<br>• Efficient use of water resources and effective environmental protection<br>• Drought Resilience<br>• Offer/extend new water conservation programs | Yes ☑<br>No ☐ | Yes ☑<br>No ☐ | • Subcommittee | 2-3 years, draft framework before next summer | • Periodic reports<br>• Develop a framework to be considered by City Council<br>• Appropriate budget allocations over the next two years<br>• Measurable improvement in water conservation |
| **San Francisquito Creek**-Research and evaluate alternatives for flood and erosion control that achieve the City's resource conservation goals for the creek. | • Preserve, protect, and conserve wildlife habitat, scenic beauty, and quality and character of neighborhoods<br>• Minimize environmental impact of flood and erosion control<br>• Assist City Council on making more informed decisions through presenting better options | Yes ☑<br>No ☐ | Yes ☐<br>No ☑ | • Subcommittee | TBD | • Periodic Reports<br>• Proposed alternatives and evaluation recommendation of JPA proposals |
| **Climate Action Plan (CAP)**-Implement CAP initiatives, evaluate and advocate new initiatives, and prioritize City Council transportation and development metrics | • Meet GHG reduction target milestones<br>• Reduce commercial and residential energy usage<br>• Reduce GHG emissions from municipal operations<br>• Capture cost savings and economic prosperity from GHG reductions | Yes ☑<br>No ☐ | Yes ☐<br>No ☑ | • Subcommittee<br>• New staff person<br>• Budgeted funds for consultant services | Ongoing | • Periodic reports<br>• City GHG reduction milestones achieved (27% GHG reduction by 2020)<br>• Refined priorities (including evaluating new initiatives)<br>• City policies and actions in place that incentivize |

| | | | | | | |
|---|---|---|---|---|---|---|
| to achieve or exceed the City's GHG reduction target. | | | | | | community, private, and business action to reduce and conserve carbon-based energy use (or greenhouse gas)<br>• Support Staff efforts to identify additional funding sources |
| **Heritage Tree Ordinance**-Improve the Heritage Tree Ordinance and heritage tree appeal process to raise community awareness and to preserve and maintain the urban canopy. | • Approve and update ordinance<br>• Improve the awareness, evaluation, and appeal process for the community<br>• Improve coordination with other commissions and City departments<br>• Ensure adequate City resources to successfully implement and enforce the program | Yes ☑<br>No ☐ | Yes ☑<br>No ☐ | • Subcommittee<br>• Staff time budgeted | End of FY 2015 | • Periodic reports<br>• Recommendations adopted by Council<br>• Reduction in the number of healthy trees removed<br>• Increase in the diversity and quality of trees within the entire urban canopy<br>• Improved coordination with the planning process |
| **General Plan Update**-Improve the sustainability of the City's General Plan consistent with the EQC mission and City Council priorities (with focus on land use, building, and transportation). | • Reduce GHG emissions<br>• Increase sustainability measures in energy and water conservation, waste reduction, and land use, including maintaining a healthy tree canopy | Yes ☑<br>No ☐ | Yes ☑<br>No ☐ | • Creation of an Ad-Hoc Subcommittee<br>• General Plan Advisory Committee (GPAC) participation | In line with the City's General Plan Timeline | • Periodic reports<br>• Development in the M2 area and city-wide circulation in line with EQC priorities (e.g. 27% GHG reduction target by 2020) |

**Step 5** **Timelines have not been assigned to the goals and priorities identified below. This allows the flexibility for the Environmental Quality Commission to be able to shift work plan priorities as needed.

| List identified Goals, Priorities and/or Tasks for the Commission | **Prioritize Tasks by their significance | | | |
|---|---|---|---|---|
| | 1<br>Urgent | 2<br>1-year | 3<br>2-year | 4<br>Long Term |
| **Water Resource Policy**-Continue advocacy for responsible water resource management policy or strategy, including evaluating options for aquifer management, water transfers and purchases, water conservation, and water use. | | | | |
| **San Francisquito Creek**-Research and evaluate alternatives for flood and erosion control that achieve the City's resource conservation goals for the creek. | | | | |
| **Climate Action Plan (CAP)**-Implement CAP initiatives, evaluate and advocate new initiatives and prioritized City council transportation and development metrics to achieve or exceed the City's greenhouse gas reduction target. | | | | |
| **Heritage Tree Ordinance** –Improve the Heritage Tree Ordinance and heritage tree appeal process to preserve and maintain the urban canopy. | | | | |
| **General Plan Update**-Improve the sustainability of the City's General Plan consistent with the EQC mission and City Council priorities (with focus on land use, building, and transportation). | | | | |

**Step 6** Prepare final work plan for submission to the City Council for review, possible direction and approval and attach the Worksheets used to determine priorities, resources and time lines.

**Step 7** Once approved; use this plan as a tool to help guide you in your work as an advisory body.

**Step 8** Report out on status of items completed. Provide any information needed regarding additional resources needed or And to indicate items that will need additional time in order to complete.

# Current Subcommittees and Tasks
## As of July 2014

### Water Resource Policy Subcommittee
**Priority Focus:** Continue advocacy for responsible water resource management policy or strategy, including evaluating options for aquifer management, water transfers and purchases, water conservation, and water use.
**Members:** Commissioners Bedwell, DeCardy, Martin

### San Francisquito Creek Subcommittee
**Priority Focus:** Research and evaluate alternatives for flood and erosion control that achieve the City's resource conservation goals for the creek.
**Members:** Commissioners Marshall, Slomiak, Smolke

### Climate Action Plan Subcommittee
**Priority Focus:** Implement CAP initiatives, evaluate and advocate new initiatives and prioritized City council transportation and development metrics to achieve or exceed the City's greenhouse gas (GHG) reduction target.
**Members:** Commissioners DeCardy, Slomiak, Kuntz-Duriseti

### Heritage Tree Subcommittee
**Priority Focus:** Improve the Heritage Tree Ordinance and heritage tree appeal process to preserve and maintain the urban canopy.
**Members:** Commissioners Marshall and Smolke

### General Plan Advisory Subcommittee
**Priority Focus:** Improve the sustainability of the City's General Plan consistent with the EQC mission and City Council priorities (with focus on land use, building, and transportation).
**Members:** Commissioners Kuntz-Duriseti, Bedwell as backup

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CITY OF MENLO PARK

**COMMISSION REPORT**

**Environmental Quality Commission**
**Meeting Date:** **9/30/2015**
**Staff Report Number:** **15-005-EQC**

**Informational Item:** **133 Encinal Avenue project update**

## Recommendation

Staff is providing an informational update on changes to the 133 Encinal Avenue project to address the Environmental Quality Commission's (EQC) recommendations from the meeting of June 24, 2015. The EQC recommendations from the June 24th meeting will be forwarded to the Planning Commission and City Council for consideration in conjunction with their recommendation and action, respectively, on the proposed development. No action is required from the EQC at this time.

## Policy Issues

Each Heritage Tree Removal Permit is considered individually, and the EQC's recommendation from the June 24th meeting will be forwarded to the Planning Commission and City Council for consideration.

## Background

At the June 24, 2015 meeting, the EQC considered the proposed removal of six heritage trees as part of a 24-unit residential development. A total of 25 heritage trees on or near the site would be retained as part of the proposed development, including a grove of heritage redwood trees in the northwest corner and a grove of heritage oak trees in the northeast corner. The six heritage trees proposed for removal are summarized in the following table:

**Proposed Heritage Tree Removals**

| Heritage Tree Summary | Size (diameter in inches) | Condition | Location |
|---|---|---|---|
| **Tree #7**: Coast redwood *(Sequoia sempervirens)* | 15.8 | Good | Front |
| **Tree #10**: Incense cedar *(Calocedrus decurrens)* | 18.3 | Good | Front |
| **Tree #15:** Crape myrtle *(Lagerstroemia indica)* | 8.8* | Good | Street Tree |
| **Tree #23**: Coast redwood *(Sequoia sempervirens)* | 37.0 | Good | Front |
| **Tree #25**: Japanese maple *(Acer palmatum)* | 20.8 | Fair | Front |
| **Tree #46**: Coast redwood *(Sequoia sempervirens)* | 16.8 | Fair | Center |

*Note: The tree size of 17 inches as originally reported was in error. Subsequent to the EQC meeting, this multi-trunk tree was re-measured by the project arborist in accordance with the Heritage Tree Ordinance, which is the diameter at the point where the trunks divide, and determined that this tree has a diameter of 8.8 inches, and does not qualify as a heritage tree. The updated measurement was verified by staff to be accurate. The above table has been updated to accurately reflect the size of this tree.

The City Arborist had reviewed the arborist report and conducted a site visit to independently evaluate the health and condition of each tree, and had recommended tentative approval for the removal of all six heritage trees. The EQC was generally supportive of staff's recommendation for the heritage tree removals, with the exception of trees #15, 23 and 25, which the EQC expressed a desire to be retained, although it was acknowledged that retention of tree #23 would be challenging due to its location. The EQC also recommended the retention of tree #2 (non-heritage Japanese maple) that was proposed for removal due to construction impacts. Additionally, the EQC expressed concerns over damage to and removal of heritage trees during the construction process, and requested that Planning staff explore prohibiting the transfer of title should the Heritage Tree Ordinance be violated during construction. A copy of the staff report and meeting minutes from the June 24th meeting are included as Attachments A and B, respectively.

## Analysis

The discussion below describes how staff and the applicant have considered the EQC's recommendations, and any project changes that have been made to address these recommendations. The revised plans and arborist report are included as Attachments C and D, respectively.

*EQC Recommendation: Retain tree #2 (3.8-inch Japanese maple)*

Project Update: Tree #2, located along the front of the property, is still proposed for removal because it is in direct conflict with the location of the proposed sidewalk. The Specific Plan requires a 15-foot wide sidewalk consisting of a ten-foot wide clear walking zone and five-foot wide furnishings zone along the street frontage. The applicant had explored retention of tree #2, but found that doing so would result in a substandard sidewalk width of five feet, four inches as the sidewalk tapers around tree #2, and due to the encroachment of the existing utility pole and guy wire obstructions, the full width could not be used for walking. Therefore, retention of this tree would significantly compromise the usability of the sidewalk. Furthermore, the City Arborist has indicated that tree #2 is not a suitable candidate for preservation. An additional consideration is that redevelopment of the adjacent property to the left would necessitate building out the full 15-foot wide sidewalk along Encinal Avenue to connect to the proposed sidewalk. Staff believes removal of tree #2 would improve the usability of the sidewalk and would facilitate future sidewalk connections to the adjacent property to the left.

*EQC Recommendation: Retain tree #15 (8.8-inch Crape myrtle)*

Project Update: As noted above, verification of the size of this tree confirmed that this is not a heritage tree as previously assumed. The project has been revised to realign the sidewalk to taper around tree #15, thus enabling the retention of this tree. Tapering this section of the sidewalk would also enable a better transition to/from the existing pedestrian crossing over the railroad tracks. The pedestrian rail crossing improvements, including new curb and sidewalk, railing, and pedestrian gate, appear to have been constructed more recently, and the width of this crossing is not anticipated to change significantly in the

foreseeable future. While tapering the sidewalk around the tree would result in a substandard sidewalk width, staff believes it is appropriate in order to provide a better transition to the pedestrian crossing and to allow the retention of tree #15.

*EQC Recommendation: Retain tree #23 (37-inch Coast redwood)*

Project Update: Tree #23 is still proposed for removal because it is in direct conflict with the footprint of proposed building A. Tree #23 is located within the rear portion of building A, and its retention would require significantly redesigning the building with the potential loss of one or more units. Retention of tree #23 would be more feasible with the removal of tree #11 (heritage incense cedar) at the front of the building, thus allowing the building to be pushed forward closer to the street. However, the City Arborist recommended for tree #11 to be retained due to its prominence along the street and its suitability for preservation, and the applicant has accommodated this request by redesigning the building with the middle units pushed back to enable its preservation. The proposed project could accommodate the retention of one, but not both trees, and the City Arborist's evaluation determined that of the two, tree #11 would be more suitable for preservation.

*EQC Recommendation: Retain tree #25 (20.8-inch Japanese maple)*

Project Update: Tree #25 is still proposed for removal due to conflicts with the proposed construction. While not within the proposed building footprint, it is within close proximity to proposed building A and significant construction activity would occur within the dripline of this tree such that its health would be compromised. Furthermore, the City Arborist has indicated that tree #25 is not a suitable candidate for preservation.

*EQC Recommendation: Explore compliance mechanisms for heritage tree protection during construction, including prohibiting the transfer of title for violation of the Heritage Tree Ordinance.*

Project Update: According to the City Attorney, restricting title transfer and effectively prohibiting the sale of the proposed for-sale residential units would constitute a regulatory taking by depriving the owner of utility or value for the property, which would be illegal. Furthermore, there is no logical nexus between restricting title transfer and heritage trees, therefore, enforcement of such a mechanism could not be justified. In past experience, requiring a bond to be posted to ensure the health of heritage trees over a period of time has proven to be an effective mechanism to ensure compliance with the Heritage Tree Ordinance. For this project, staff is proposing a requirement for the applicant to post a bond on all heritage trees that would potentially be affected by construction as part of the recommended conditions of approval. The bond would be posted for a period of five years to ensure the viability of the heritage trees for a sufficient length of time to gauge any impacts during the construction process.

**Impact on City Resources**

The project sponsor is required to pay planning, building and public works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

### Environmental Review

The proposed project will be evaluated with respect to compliance with the California Environmental Quality Act (CEQA) as part of the Planning Commission's review/recommendation and the City Council's action.

### Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

### Appeal Period

No appeal period is associated with an informational item. As the decision-making body, the City Council's action at a future meeting would be final.

### Attachments

A. Environmental Quality Commission Staff Report for June 24, 2015
B. Environmental Quality Commission Meeting Minutes for June 24, 2015
C. Revised Project Plans (Site Plan, Preliminary Landscape Plan, and Tree Disposition Plan)
D. Arborist Report by McClenahan Consulting, LLC, dated July 6, 2015

### Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

### Exhibits to Be Provided at Meeting

None

Report prepared by:
Jean Lin, Associate Planner

Report reviewed by:
Christian Bonner, City Arborist

ATTACHMENT A

**June 24, 2015**

**To:** **Environmental Quality Commission**

**From:** **Jean Lin, Associate Planner**

**Subject:** **Consider a Recommendation to the Planning Commission and City Council on a Request to Remove Seven Heritage Trees and Retain 24 Heritage Trees on and near property located at 133 Encinal Avenue.**

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## Potential Environmental Quality Commission (EQC) Action

Staff recommends that the EQC recommend to the Planning Commission and City Council to approve the Heritage Tree Removal Permits as part of a development proposal by Hunter Properties on property located at 133 Encinal Avenue.

## Background

Site Location

The project site is approximately 1.7 acres located at 133 Encinal Avenue in the ECR/D-SP (El Camino Real/ Downtown Specific Plan) zoning district. Using Encinal Avenue in an east to west orientation, the site is on the north side of Encinal Avenue between El Camino Real and the Caltrain railroad tracks. Adjacent uses include attached townhouses to the north, the Caltrain railroad tracks to the east, apartments to the south, and offices to the west.

The subject site had previously operated as a commercial nursery, and there are currently three buildings and several storage sheds associated with the former nursery use.

Proposed Project

In August 2014, Hunter Properties filed applications for architectural control, tentative map, and heritage tree removal permits to demolish the existing commercial nursery structures on the site, and construct 24 residential units and associated site improvements. The residential units would be distributed in seven buildings throughout the site, with each building containing between two to five units.

There are 31 heritage trees on and near the project property as defined by Chapter 13.24 of the Menlo Park Municipal Code, including a grove of heritage redwood trees in the northwest corner, a grove of heritage oak trees in the northeast corner, six heritage trees on the adjacent property to the west (1600 El Camino Real), three heritage trees on the adjacent property to the north (192 Stone Pine Lane), and one heritage street tree along Encinal Avenue. The overall site layout is designed to preserve the two groves of trees at the northwest and northeast corners of the property, while trees

elsewhere on the property are proposed for removal. A copy of the site plan, preliminary landscape plan, building elevations, and tree disposition plan are provided in Attachment C.

The purpose of the Environmental Quality Commission's consideration of this project is to provide a recommendation to the Planning Commission and City Council on the request to remove seven out of 31 heritage trees located on or near the subject property.

**Analysis**

The applicant has submitted an arborist report to evaluate 36 trees on and near the subject property, including 31 heritage trees and five non-heritage trees. The report was prepared by John McClenahan of McClenahan Consulting, LLC, a Board-Certified Master Arborist. A summary of only the heritage trees on or near the subject property is contained in the table below:

| **Project Heritage Tree Summary** | **Size (diameter in inches)** | **Location** | **Proposal** | |
|---|---|---|---|---|
| | | | **Retain** | **Remove** |
| **Tree #7**: Coast redwood *(Sequoia sempervirens)* | 15.8 | front | | X |
| **Tree #10**: Incense cedar *(Calocedrus decurrens)* | 18.3 | front | | X |
| **Tree #11**: Incense cedar *(Calocedrus decurrens)* | 18.8 | front | | X |
| **Tree #15:** Crape myrtle *(Lagerstroemia indica)* | 17 | street tree | | X |
| **Tree #23**: Coast redwood *(Sequoia sempervirens)* | 37.0 | front | | X |
| **Tree #25**: Japanese maple *(Acer palmatum)* | 20.8 | front | | X |
| **Tree #32**: Coast redwood *(Sequoia sempervirens)* | 39.5 | redwood grove in northwest corner | X | |
| **Tree #33**: Coast redwood *(Sequoia sempervirens)* | 34.1 | redwood grove in northwest corner | X | |
| **Tree #34**: Coast redwood *(Sequoia sempervirens)* | 17.6 | redwood grove in northwest corner | X | |
| **Tree #35**: Coast redwood *(Sequoia sempervirens)* | 34.3 | redwood grove in northwest corner | X | |
| **Tree #36**: Coast redwood *(Sequoia sempervirens)* | 33.4 | redwood grove in northwest corner | X | |
| **Tree #37**: Coast redwood *(Sequoia sempervirens)* | 17.0 | redwood grove in northwest corner | X | |

| | | | | |
|---|---|---|---|---|
| **Tree #38**: Coast redwood *(Sequoia sempervirens)* | 19.5 | redwood grove in northwest corner | X | |
| **Tree #39**: Coast redwood *(Sequoia sempervirens)* | 18.0 | redwood grove in northwest corner | X | |
| **Tree #40**: Coast redwood *(Sequoia sempervirens)* | 21.7 | redwood grove in northwest corner | X | |
| **Tree #41**: Coast redwood *(Sequoia sempervirens)* | 28.0 | redwood grove in northwest corner | X | |
| **Tree #42**: Coast redwood *(Sequoia sempervirens)* | 35.5 | redwood grove in northwest corner | X | |
| **Tree #43**: Coast redwood *(Sequoia sempervirens)* | 39.3 | redwood grove in northwest corner | X | |
| **Tree #44**: Coast redwood *(Sequoia sempervirens)* | 24.7 | redwood grove in northwest corner | X | |
| **Tree #46**: Coast redwood *(Sequoia sempervirens)* | 16.8 | center | | X |
| **Tree #52**: Coast live oak *(Quercus agrifolia)* | 50.5 | oak grove in northeast corner | X | |
| **Tree #53**: Coast live oak *(Quercus agrifolia)* | 27.0 | oak grove in northeast corner | X | |
| **Tree #54**: Coast redwood *(Sequoia sempervirens)* | 40.0 | adjacent property to the west | X | |
| **Tree #58**: Coast live oak *(Quercus agrifolia)* | 15 estimated | adjacent property to the west | X | |
| **Tree #59**: Sycamore *(Platanus x acerifolia)* | 24 estimated | adjacent property to the west | X | |
| **Tree #60**: Coast live oak *(Quercus agrifolia)* | 32.0 | adjacent property to the west | X | |
| **Tree #62**: Coast live oak *(Quercus agrifolia)* | 24 estimated | adjacent property to the west | X | |
| **Tree #63**: Coast live oak *(Quercus agrifolia)* | 24 estimated | adjacent property to the west | X | |
| **Tree #64**: Coast redwood *(Sequoia sempervirens)* | 36 estimated | adjacent property to the north | X | |
| **Tree #65**: Monterey pine *(Pinus radiata)* | 24 estimated | adjacent property to the north | X | |
| **Tree #66**: Monterey pine *(Pinus radiata)* | 24 estimated | adjacent property to the north | X | |
| **TOTAL** | | | **24** | **7** |

Municipal Code Requirements

Section 13.24.040 of Menlo Park's Heritage Tree Ordinance, requires consideration of the following eight factors when determining whether there is good cause for permitting removal of a heritage tree:

(1) The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;

(2) The necessity to remove the tree or trees in order to construct proposed improvements to the property;

(3) The topography of the land and the effect of the removal of the tree on erosion, soil retention and diversion or increased flow of surface waters;

(4) The long-term value of the species under consideration, particularly lifespan and growth rate;

(5) The ecological value of the tree or group of trees, such as food, nesting, habitat, protection and shade for wildlife or other plant species;

(6) The number, size, species, age distribution and location of existing trees in the area and the effect the removal would have upon shade, privacy impact and scenic beauty;

(7) The number of trees the particular parcel can adequately support according to good arboricultural practices;

(8) The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s).

Criteria 2 and 8 are relevant to this request and are discussed below in more detail. The Municipal Code criteria that are applicable to this request are briefly discussed below.

Criteria 2: *The necessity to remove the trees in order to construct proposed improvements to the property.*

Trees #7 (15.8-inch coast redwood), #10 (18.3-inch incense cedar), #15 (17-inch crape myrtle), #23 (37-inch coast redwood), #25 (20.8-inch Japanese maple), and #46 (16.8-inch coast redwood) would be in direct conflict with the construction of the proposed residential buildings and site improvements. The City Arborist recommends tentative approval for the removal of these six trees due to construction impacts.

Criteria 8: *The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s).*

The applicant proposes to remove tree #11, an 18.8-inch incense cedar in overall fair/good condition, in order to accommodate the construction of building A which is in close proximity to this tree. The arborist report includes recommended tree protection measures to mitigate or avoid impacts to this tree, with a recommended tree protection zone of 10 feet. Building A is a three-story building with covered porches and uncovered patios on the ground floor fronting the street, and covered balconies on the second level. The trunk of tree #11 would be four feet, four inches away from the nearest covered porch and nine feet, three inches away from the nearest building wall. In order to maintain the 10-foot tree protection zone as recommended by the project arborist, the covered porch, balcony, and building wall would need to be moved by approximately five feet, six inches. Additionally, the City Arborist has recommended measures that would allow the tree to be retained, including pre-construction root collar excavation of the entire dripline (with hand tools or air spade) to depth of the root flair, installation of temporary root protection pad (8" wood chips covered with ¾" plywood or alternative) under dripline, implementation of temporary soaker irrigation as specified by arborist, tree protection fencing of critical root zone as determined by arborist, and ongoing monitoring throughout development. The City Arborist recommends that tree #11 be retained, and believes that its retention would be feasible through implementation of the recommended tree protection zone and additional tree protection measures.

The City Arborist has reviewed the arborist report and conducted a site visit to independently evaluate the health and condition of the heritage trees proposed for removal. The City Arborist's evaluation is included as Attachment E. The City Arborist's recommendations summarized in the table below:

*Intentionally left blank*

| Project<br>Heritage Tree Summary | Size (diameter in inches) | Condition | City Arborist's Recommendation |
|---|---|---|---|
| **Tree #7**: Coast redwood *(Sequoia sempervirens)* | 15.8 | Good | Tentatively approved for removal due to property damage and construction of the proposed project. |
| **Tree #10**: Incense cedar *(Calocedrus decurrens)* | 18.3 | Good | Tentatively approved for removal due to construction of the proposed project. |
| **Tree #11**: Incense cedar *(Calocedrus decurrens)* | 18.8 | Fair/ Good | Tentatively denied for removal, with recommendations for tree preservation measures prior to, during, and after construction. |
| **Tree #15:** Crape myrtle *(Lagerstroemia indica)* | 17 | Good | Tentatively approved for removal due to construction of the proposed project. |
| **Tree #23**: Coast redwood *(Sequoia sempervirens)* | 37.0 | Good | Tentatively approved for removal due to construction of the proposed project. |
| **Tree #25**: Japanese maple *(Acer palmatum)* | 20.8 | Fair | Tentatively approved for removal due to construction of the proposed project. |
| **Tree #46**: Coast redwood *(Sequoia sempervirens)* | 16.8 | Fair | Tentatively approved for removal due to construction of the proposed project. |

Heritage Tree Replacements

The applicant is proposing to provide 16 heritage tree replacements to compensate for the loss of seven heritage trees, which represents a ratio of 2.2 replacement trees for each heritage tree proposed for removal. The proposed heritage tree replacements include two 15-gallon Autumn blaze maples (*Acer rubrum 'Autumn Blaze'*), five 15-gallon red maples (*Acer rubrum 'Columnare'*), and nine 24-inch box maidenhair trees (*Ginkgo biloba 'Autumn Gold'*).

The preliminary landscape plan indicates that approximately 59 new trees would be planted throughout the site, including five street trees along Encinal Avenue. The proposed street trees would consist of 15-gallon sweet bay trees, although the final size and species would require the City Arborist's approval. The proposed new trees to be planted on-site would consist of 24-inch box crape myrtle, 15-gallon sweet bay, 15-gallon royal star magnolia, 15-gallon chanticleer pear, 24-inch box true green elm, 24-inch box pink dawn chitalpa, as well as the 15-gallon maples and 24-inch box maidenhair replacement trees previously described. Shrubs and groundcover would also be planted throughout the site.

Conclusion

Based upon the analysis provided above and the submitted project plans, staff recommends that the Environmental Quality Commission recommend to the Planning Commission and City Council the following actions regarding the heritage trees for the proposed project located at 133 Encinal Avenue:

(1) Approve the removal of Trees #7 (15.8-inch coast redwood), #10 (18.3-inch incense cedar), #15 (17-inch crape myrtle), #23 (37-inch coast redwood), #25 (20.8-inch Japanese maple), and #46 (16.8-inch coast redwood); and,

(2) Request minor alterations to the footprint of Building A be explored and incorporate the City Arborist's recommended tree protection measures that would allow Tree #11 (18.8-inch incense cedar) to be retained.

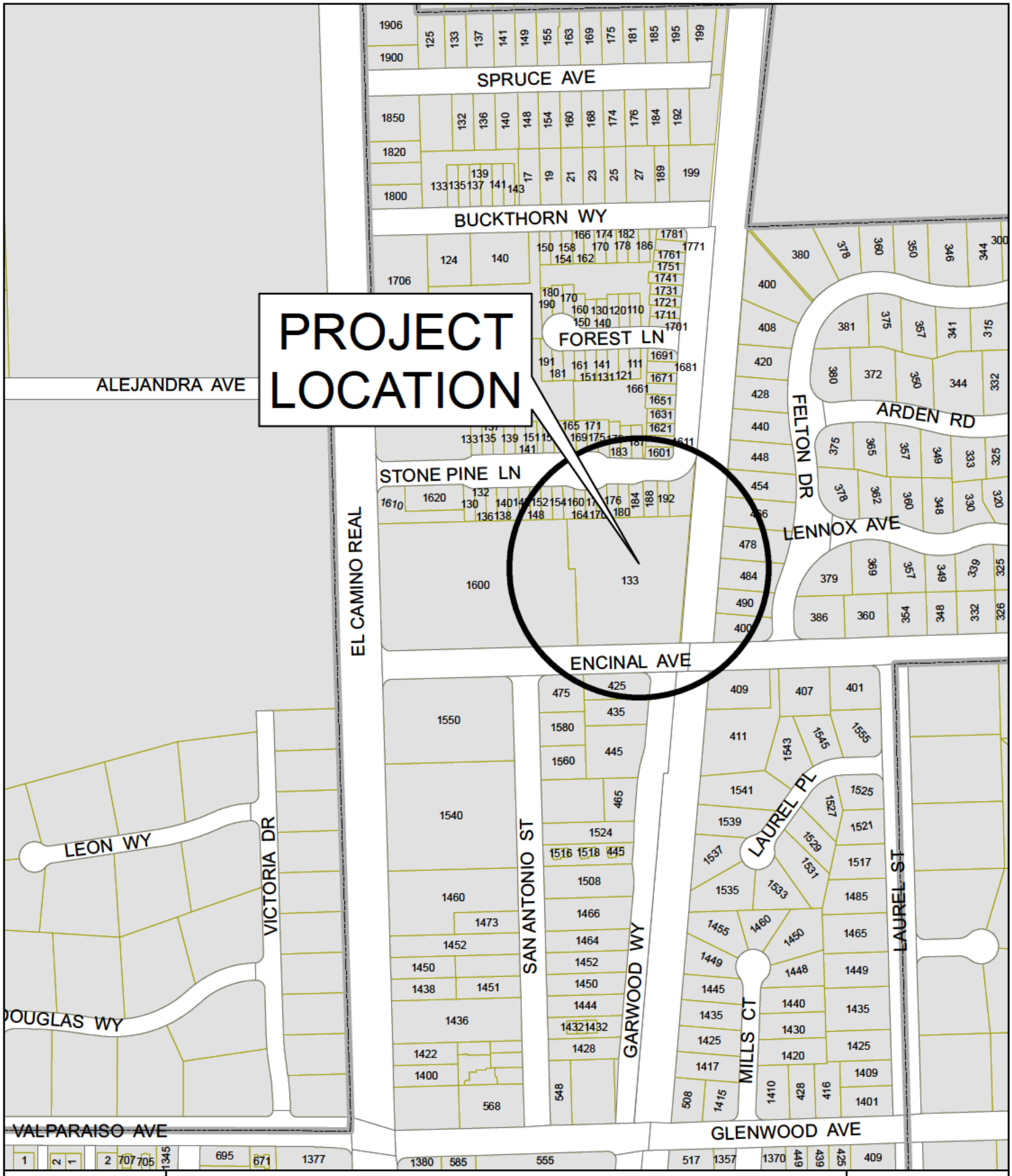
| | |
|---|---|
| *Signature on File* | *Signature on File* |
| Jean Lin | Christian Bonner |
| Associate Planner | City Arborist |

**Public Notice:** Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting. Notice cards were sent to all property owners and occupants within 300 feet of the project site.

**Attachments:**

A. Location Map
B. Project Plans (Site Plan, Preliminary Landscape Plan, Building Elevations, and Tree Disposition Plan)
C. Tree #11 Exhibit
D. Arborist Report by McClenahan Consulting, LLC, dated April 3, 2015
E. City Arborist Evaluation Forms

ATTACHMENT A



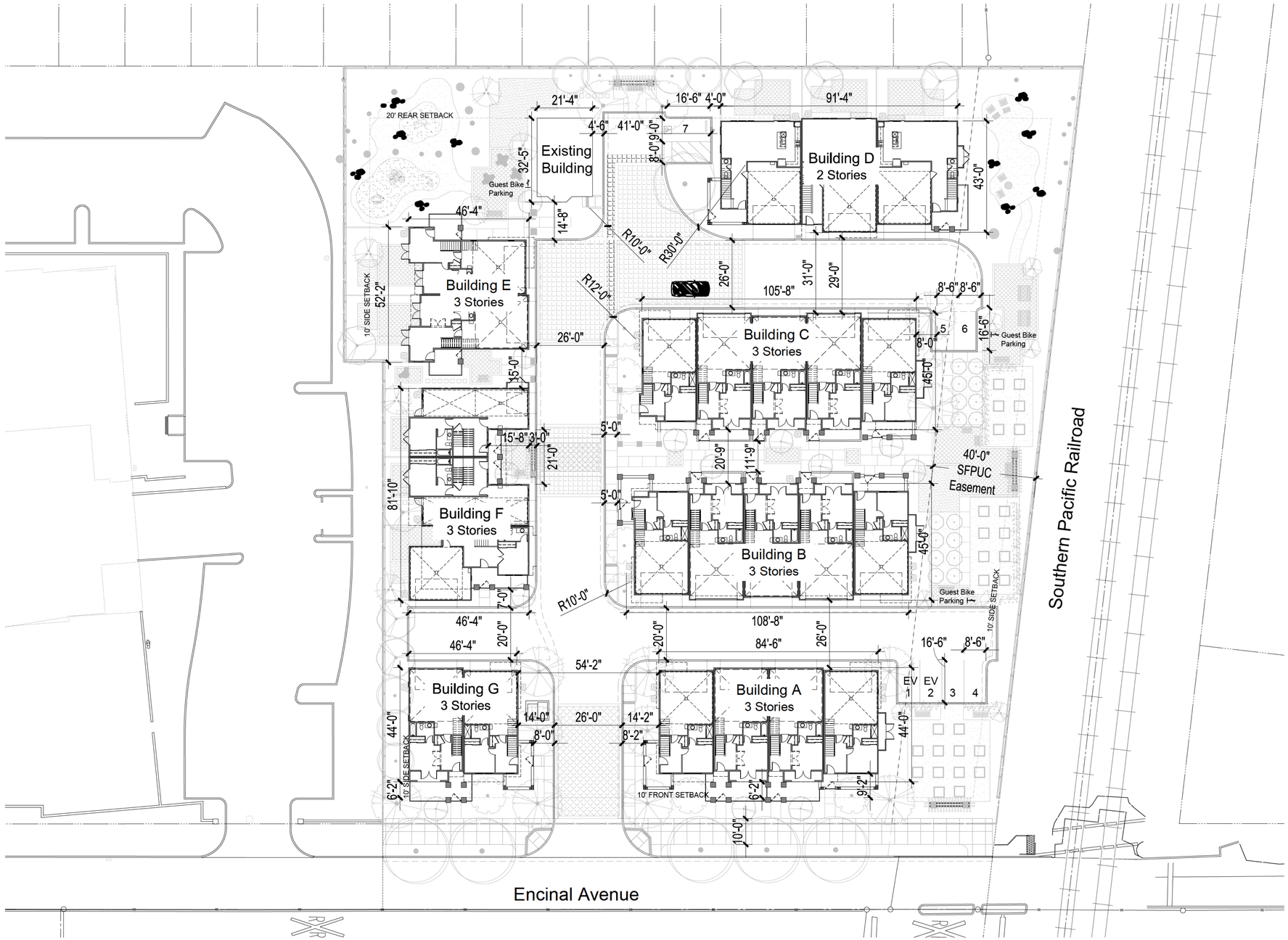

# CITY OF MENLO PARK

## LOCATION MAP

## 133 ENCINAL AVENUE

A1

DRAWN: KTP CHECKED: KTP DATE: 6/72915 SCALE: 1" = 300' SHEET: 1




## Legend

EV Electric Vehicle Charging Station

AC Condenser; See Landscape Drawings for planting to screen from view

Transformer; See Landscape Drawings for planting to screen from view

Guest Bike Parking; See Landscape Drawings

NOTE: Refer to C2.0 Proposed Site Plan for all dimensions to easements, setbacks, and property line.

1" = 20'-0" 0 10 20 40

# 133 ENCINAL AVENUE

# CONCEPTUAL SITE PLAN

A1.0

**Hunter Properties Inc.**
10121 Miller Avenue, Suite 200
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MENLO PARK, CA

KTGY # 2014-0032 04.06.2015

**KTGY Group, Inc.**
**Architecture+Planning**
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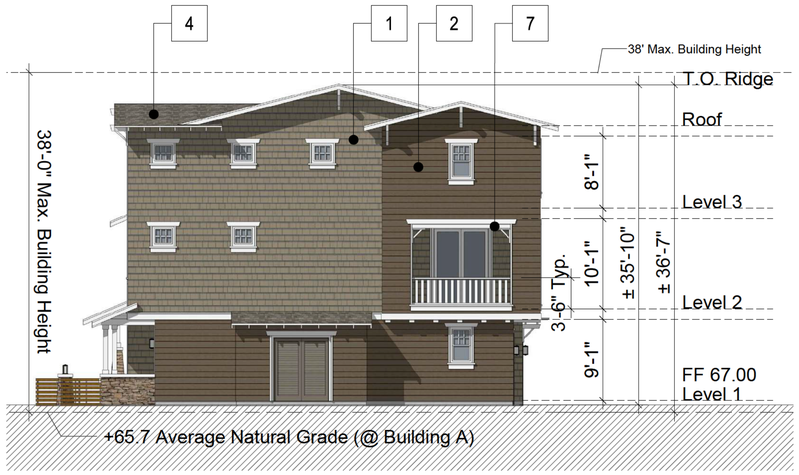
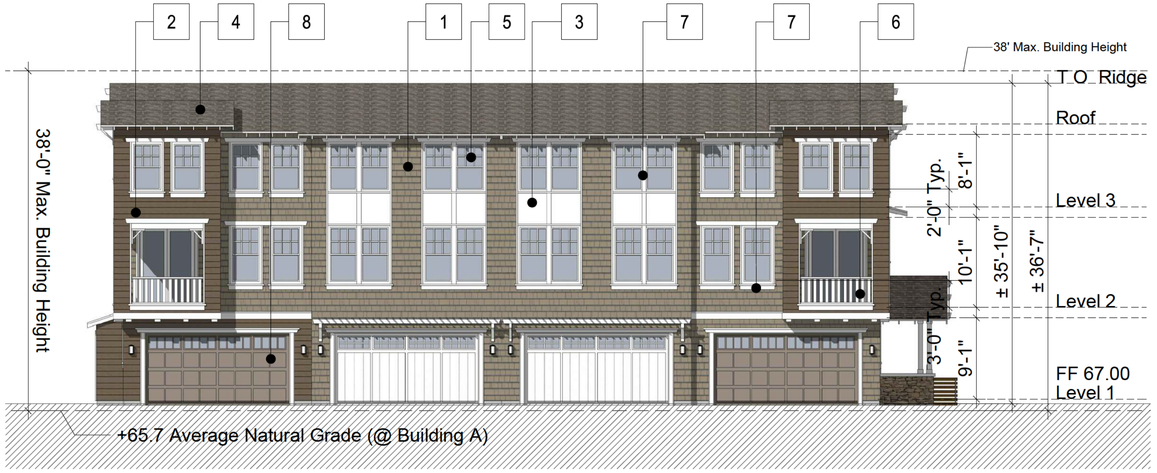
ktgy.com

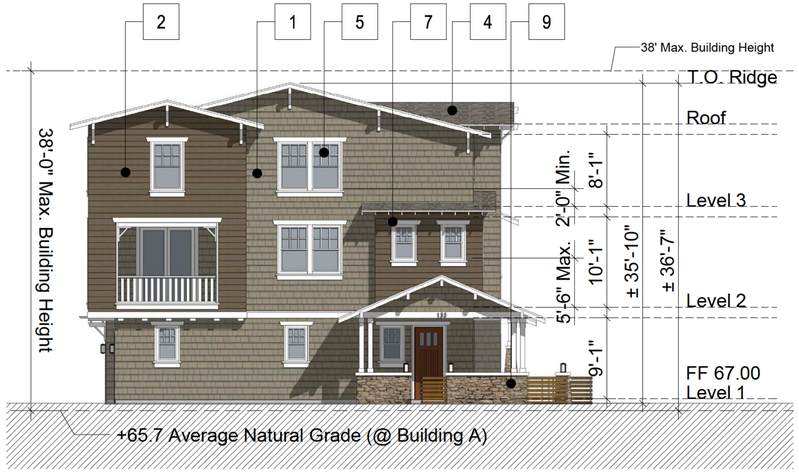

1. Front Elevation - Encinal Avenue



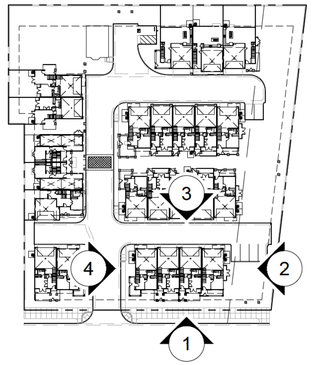

2. Right Elevation*




3. Rear Elevation




4. Left Elevation




Key Map n.t.s.

## Material Legend

1. Wood Shingles
2. Fiber Cement Lap Siding
3. Fiber Cement Panel
4. Laminated Composite Shingle Roof (3:12 Pitch)
5. Aluminum Clad Window
6. Wood Railing
7. Wood Trim
8. Smooth Paneled Garage Door
9. Stone Veneer

Note: No use of stucco proposed.

*Elevation faces Southern Pacific Railroad and has been designed for smaller openings.

1/8 " = 1'-0"

# 133 ENCINAL AVENUE

# CONCEPTUAL ELEVATIONS - BUILDING A

A2.1

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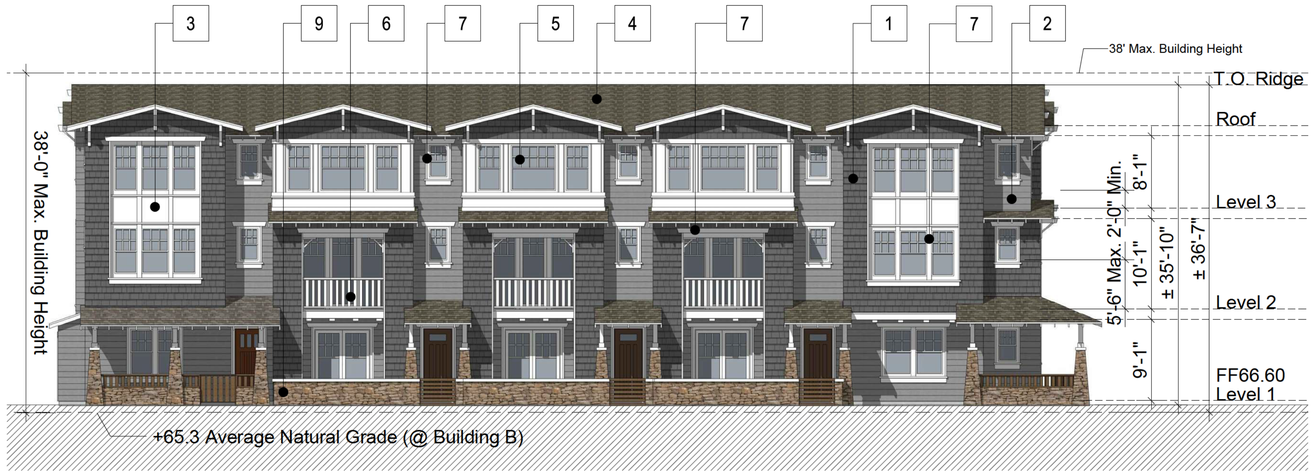
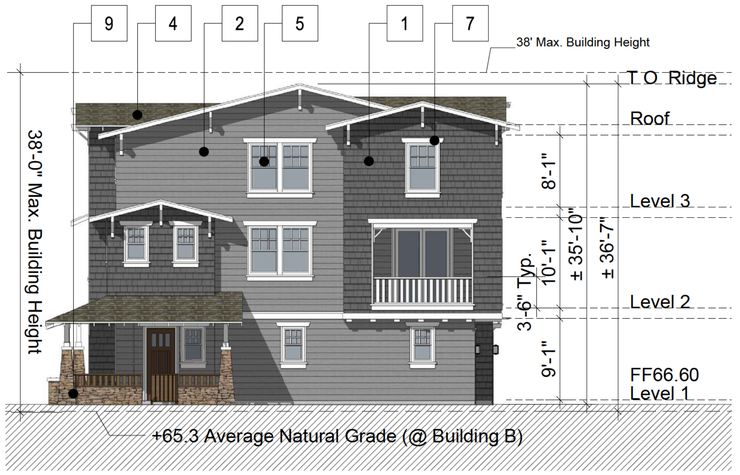
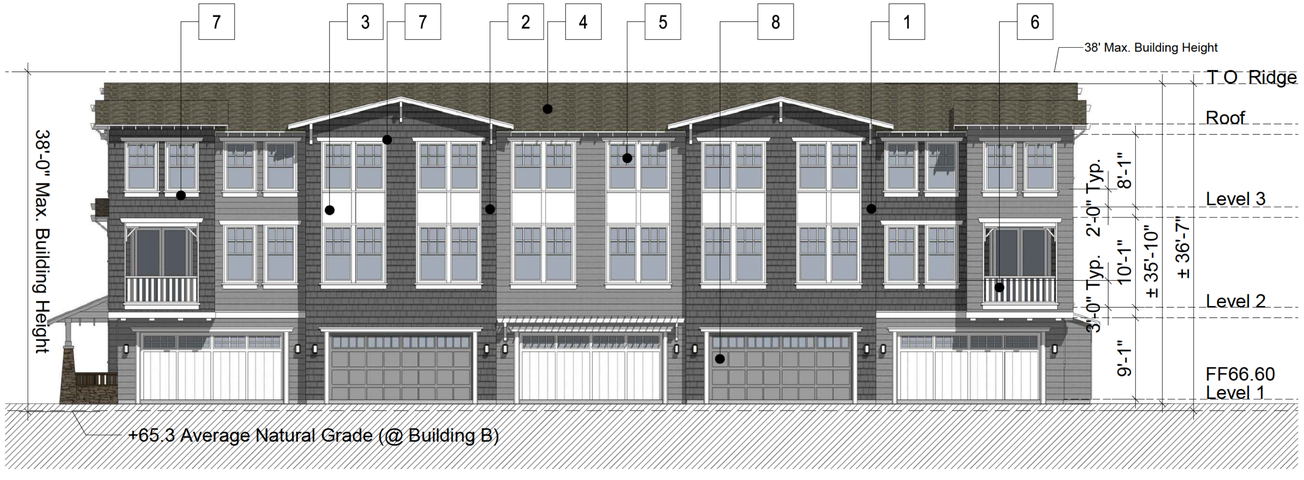


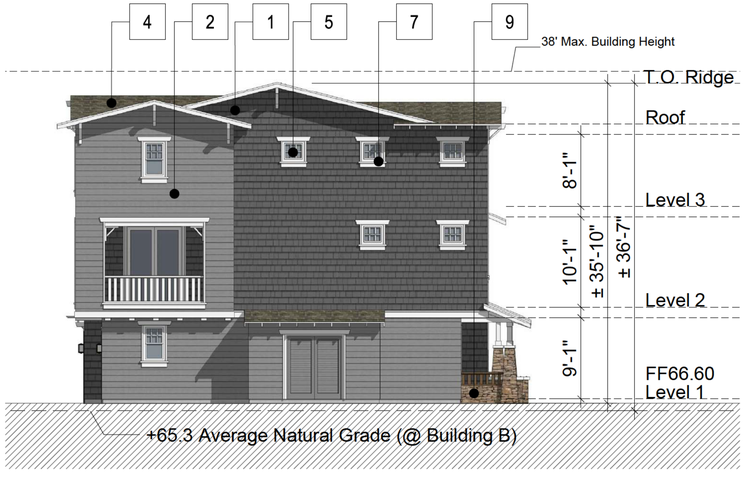

1. Front Elevation



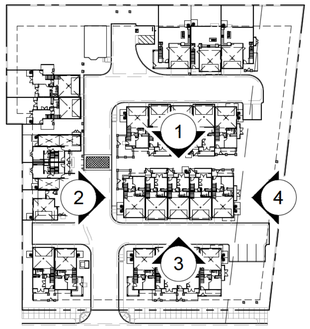

2. Right Elevation




3. Rear Elevation




4. Left Elevation*




Key Map n.t.s.

## Material Legend

1. Wood Shingles
2. Fiber Cement Lap Siding
3. Fiber Cement Panel
4. Laminated Composite Shingle Roof (3:12 Pitch)
5. Aluminum Clad Window
6. Wood Railing
7. Wood Trim
8. Smooth Paneled Garage Door
9. Stone Veneer

Note: No use of stucco proposed.

*Elevation faces Southern Pacific Railroad and has been designed for smaller openings.

1/8" = 1'-0" (0, 4, 8, 16)

# 133 ENCINAL AVENUE

# CONCEPTUAL ELEVATIONS - BUILDING

A2.2

MENLO PARK, CA

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04.06.2015

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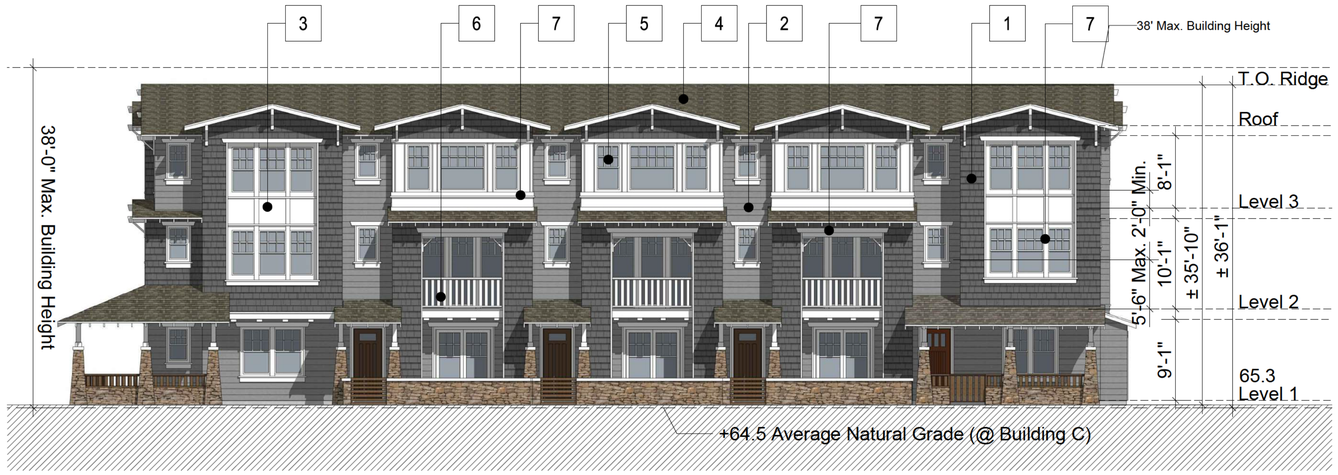
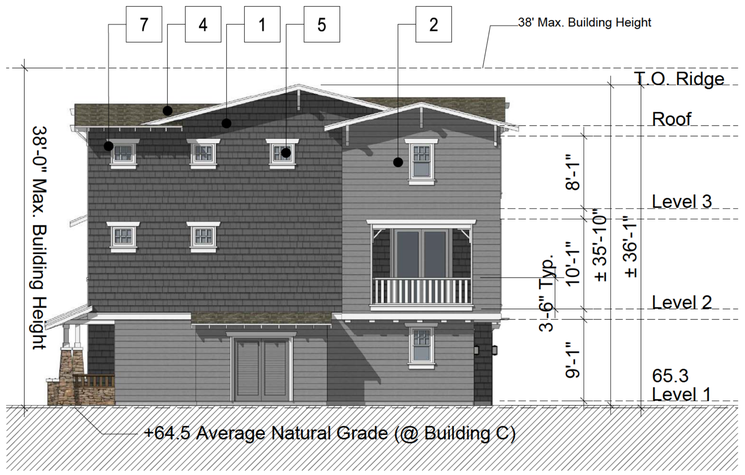
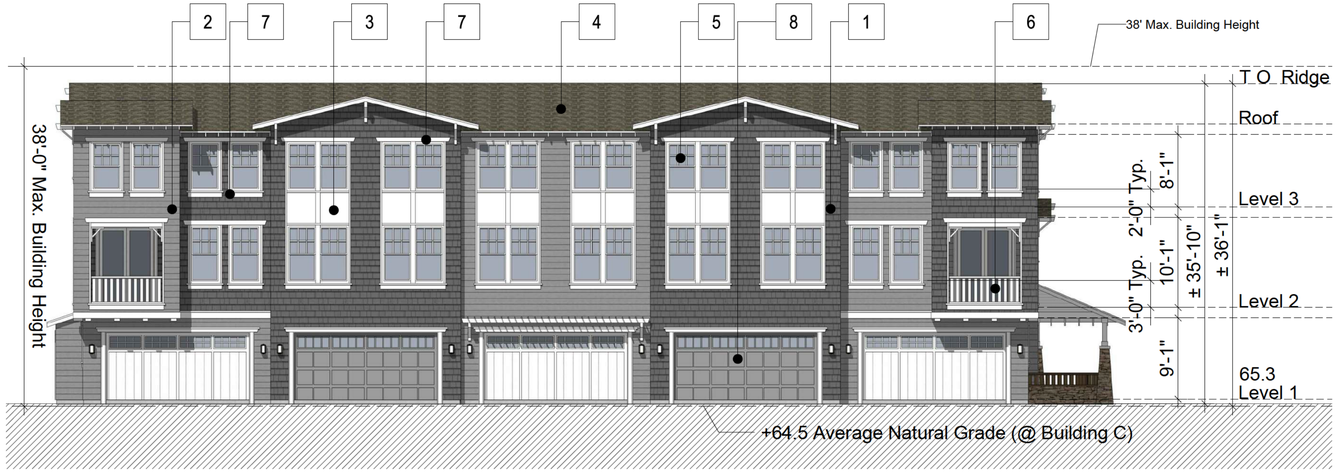


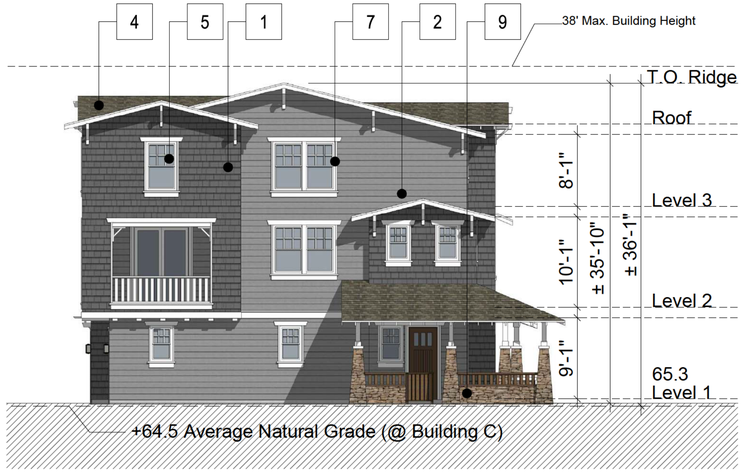

1. Front Elevation



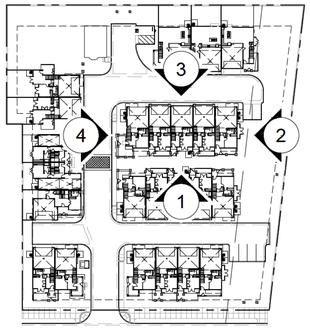

2. Right Elevation*




3. Rear Elevation




4. Left Elevation




Key Map n.t.s.

## Material Legend

1. Wood Shingles
2. Fiber Cement Lap Siding
3. Fiber Cement Panel
4. Laminated Composite Shingle Roof (3:12 Pitch)
5. Aluminum Clad Window
6. Wood Railing
7. Wood Trim
8. Smooth Paneled Garage Door
9. Stone Veneer

Note: No use of stucco proposed.

*Elevation faces Southern Pacific Railroad and has been designed for smaller openings.

1/8" = 1'-0" (0, 4, 8, 16)

# 133 ENCINAL AVENUE

# CONCEPTUAL ELEVATIONS - BUILDING C

# A2.3

MENLO PARK, CA

KTGY # 2014-0032

04.06.2015

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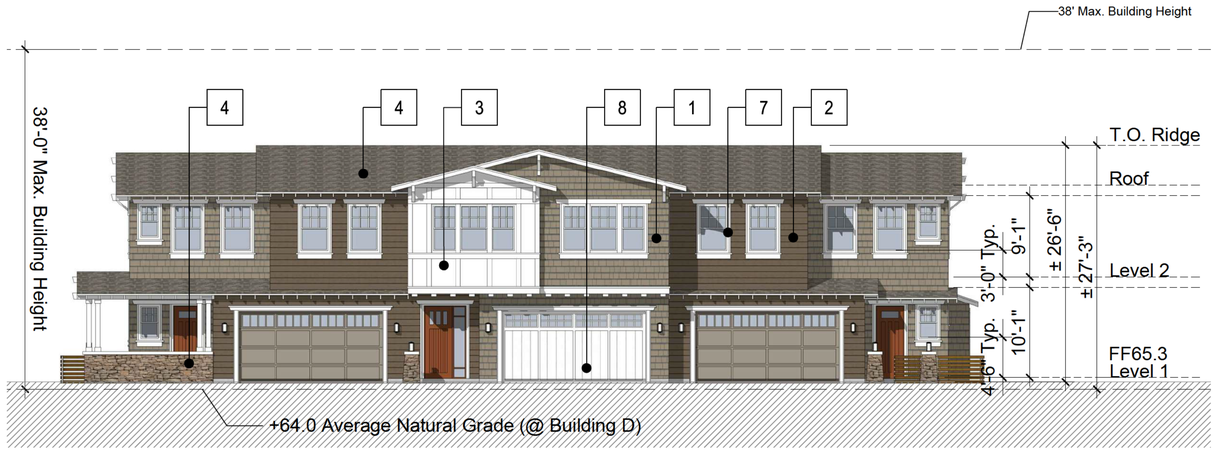
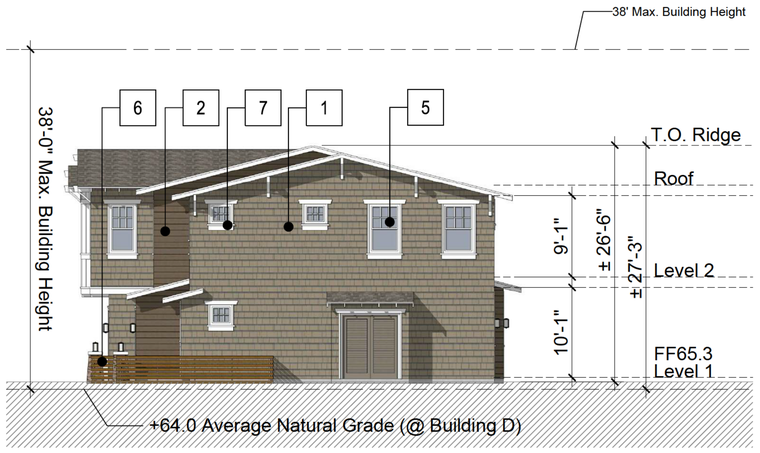
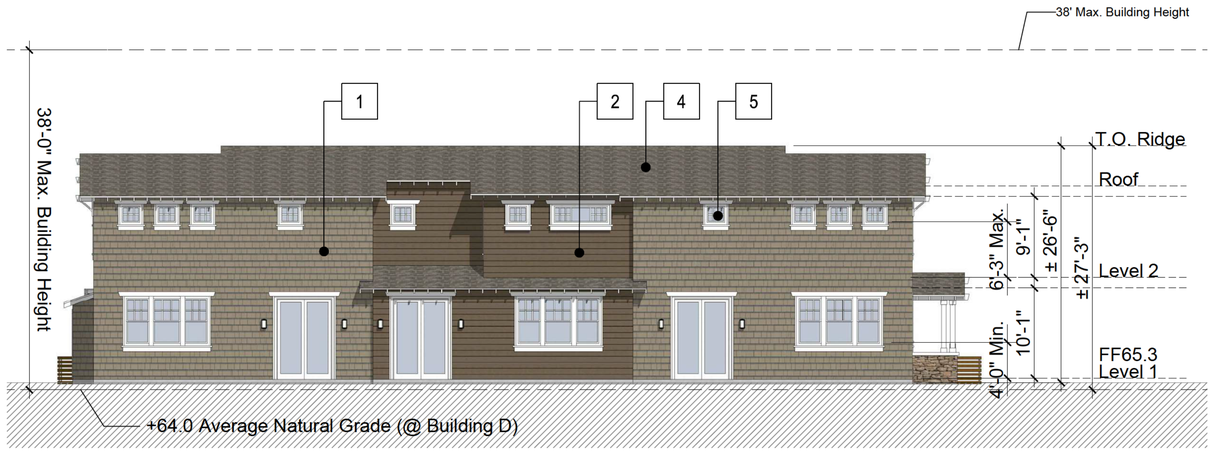


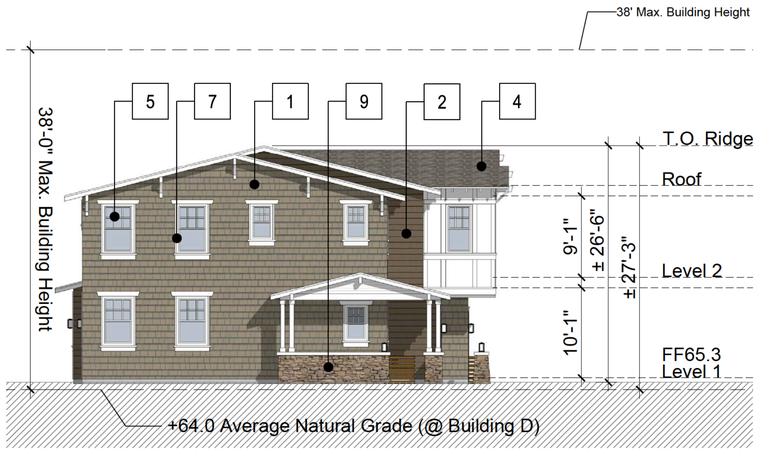

1. Front Elevation



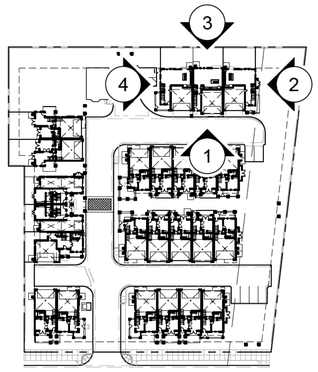

2. Right Elevation*




3. Rear Elevation




4. Left Elevation




Key Map n.t.s.

## Material Legend

1. Wood Shingles
2. Fiber Cement Lap Siding
3. Fiber Cement Panel
4. Laminated Composite Shingle Roof (3:12 Pitch)
5. Aluminum Clad Window
6. Wood Railing
7. Wood Trim
8. Smooth Paneled Garage Door
9. Stone Veneer

Note: No use of stucco proposed.

*Elevation faces Southern Pacific Railroad and has been designed for smaller openings.

⅛ " = 1'-0"  0  4  8  16

# 133 ENCINAL AVENUE

# CONCEPTUAL ELEVATIONS - BUILDING

A2.4

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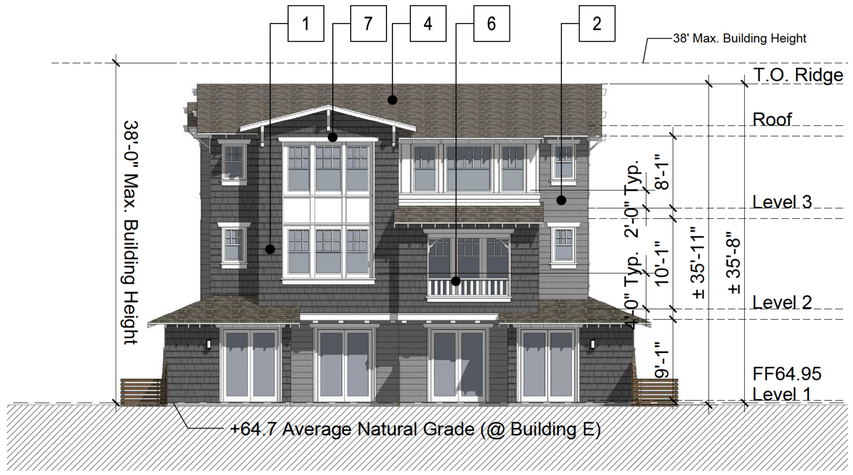
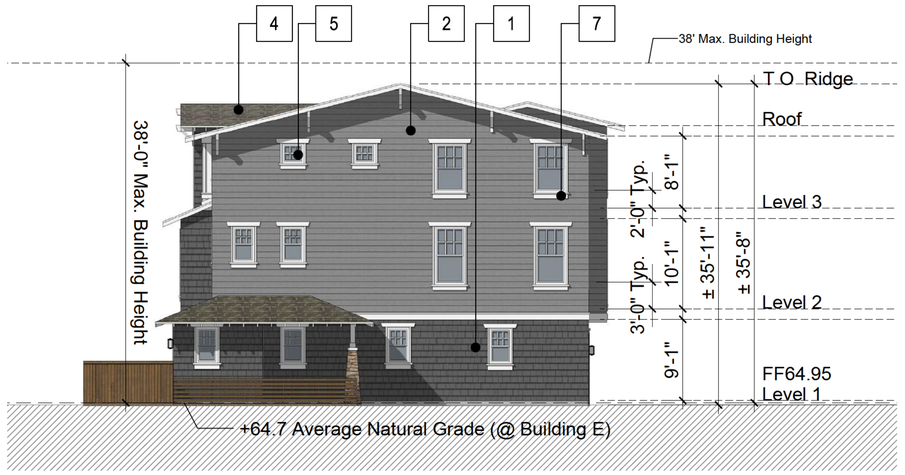
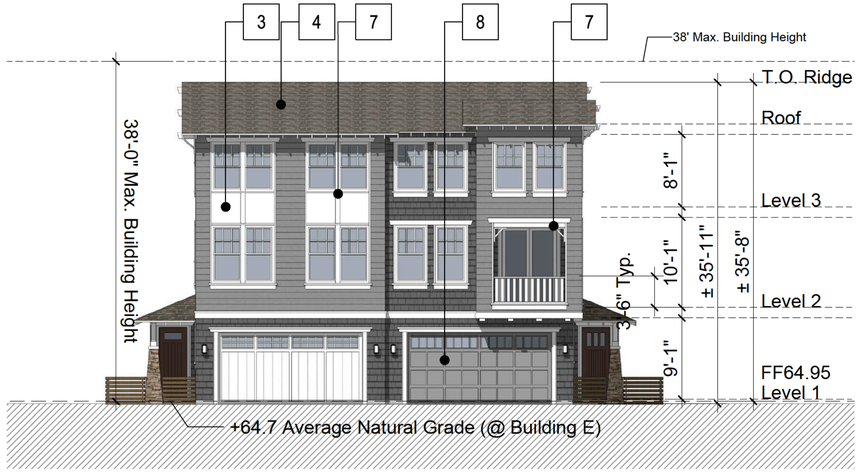


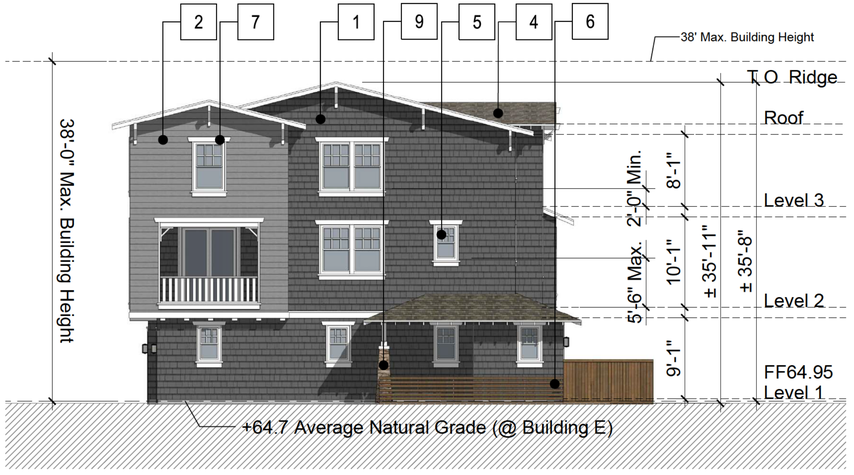

1. Front Elevation



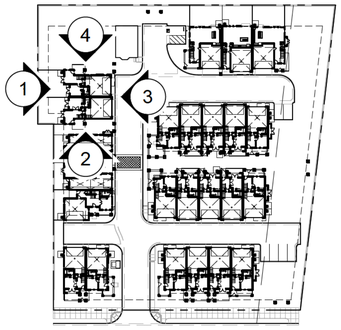

2. Right Elevation




3. Rear Elevation




4. Left Elevation




Key Map n.t.s.

## Material Legend

1. Wood Shingles
2. Fiber Cement Lap Siding
3. Fiber Cement Panel
4. Laminated Composite Shingle Roof (3:12 Pitch)
5. Aluminum Clad Window
6. Wood Railing
7. Wood Trim
8. Smooth Paneled Garage Door
9. Stone Veneer

Note: No use of stucco proposed.

1/8 " = 1'-0" (0, 4, 8, 16)

# 133 ENCINAL AVENUE

# CONCEPTUAL ELEVATIONS - BUILDING E

A2.5

MENLO PARK, CA

KTGY # 2014-0032 04.06.2015

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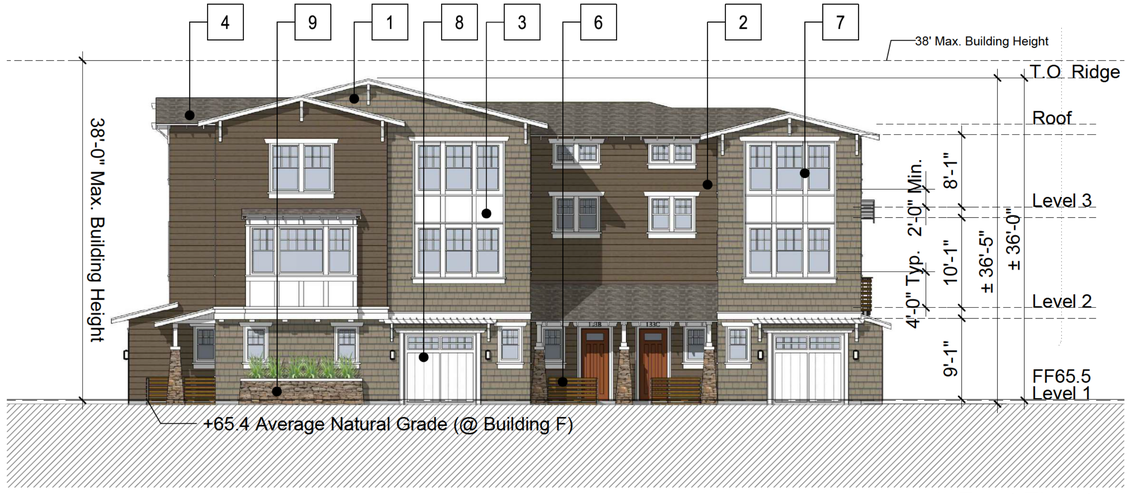
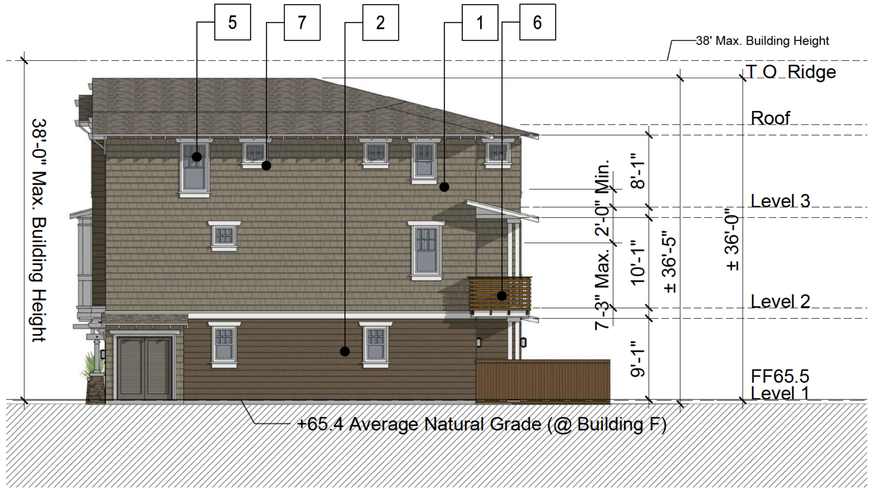
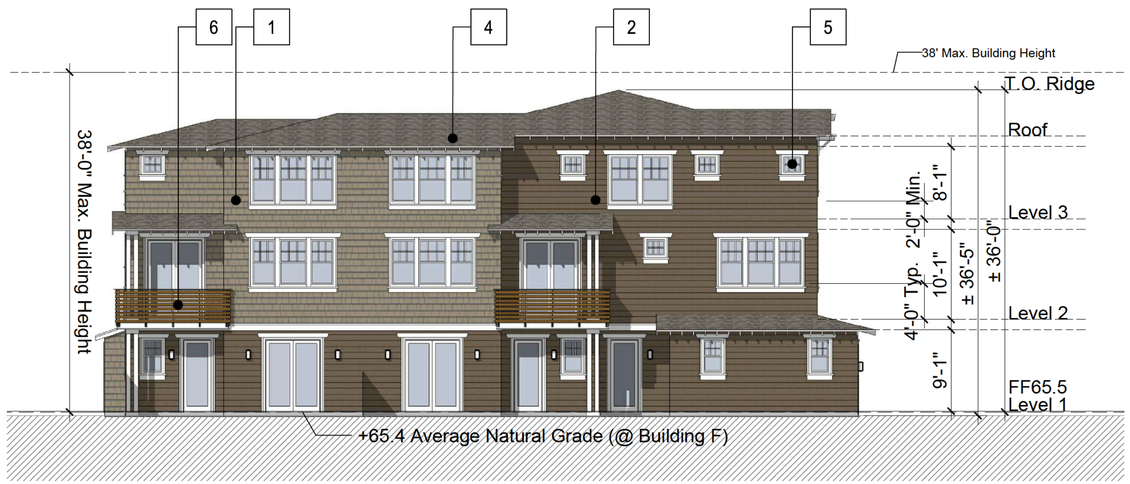


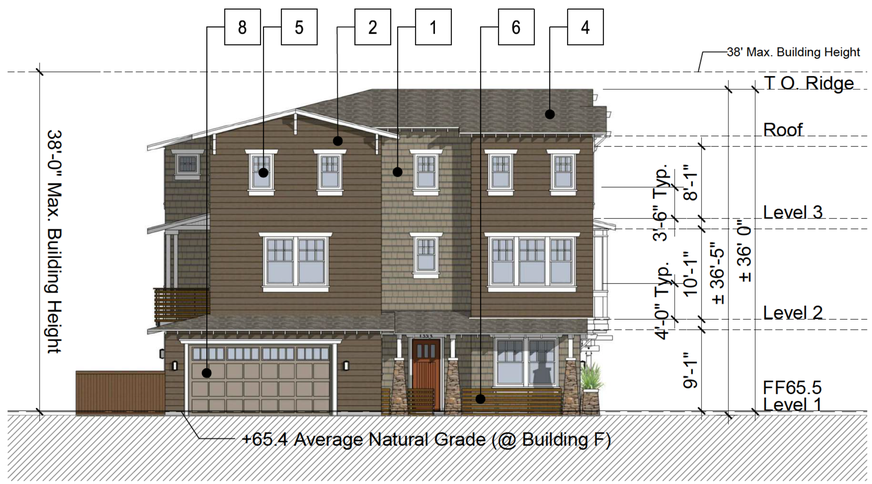

1. Front Elevation



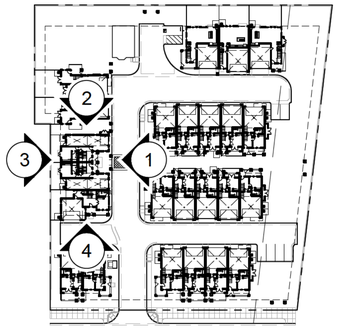

2. Right Elevation




3. Rear Elevation




4. Left Elevation




Key Map n.t.s.

## Material Legend

1. Wood Shingles
2. Fiber Cement Lap Siding
3. Fiber Cement Panel
4. Laminated Composite Shingle Roof (3:12 Pitch)
5. Aluminum Clad Window
6. Wood Railing
7. Wood Trim
8. Smooth Paneled Garage Door
9. Stone Veneer

Note: No use of stucco proposed.

1/8 " = 1'-0"  0 4 8 16

# 133 ENCINAL AVENUE

# CONCEPTUAL ELEVATIONS - BUILDING

A2.6

MENLO PARK, CA

KTGY # 2014-0032  04.06.2015

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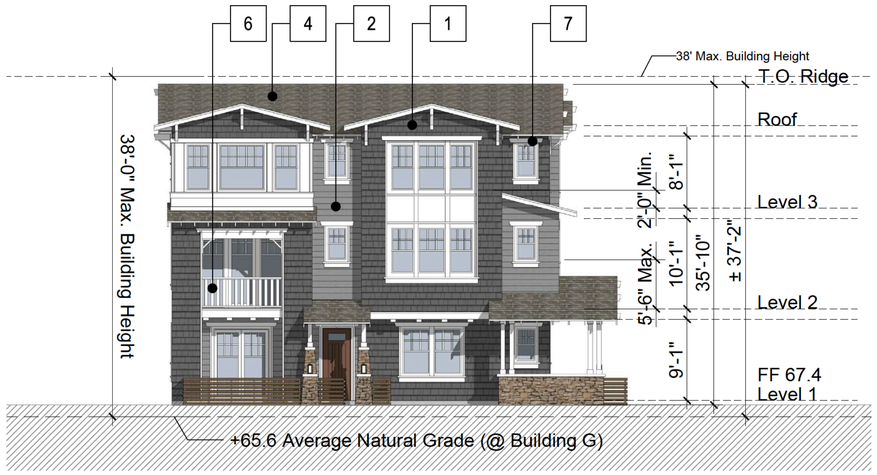
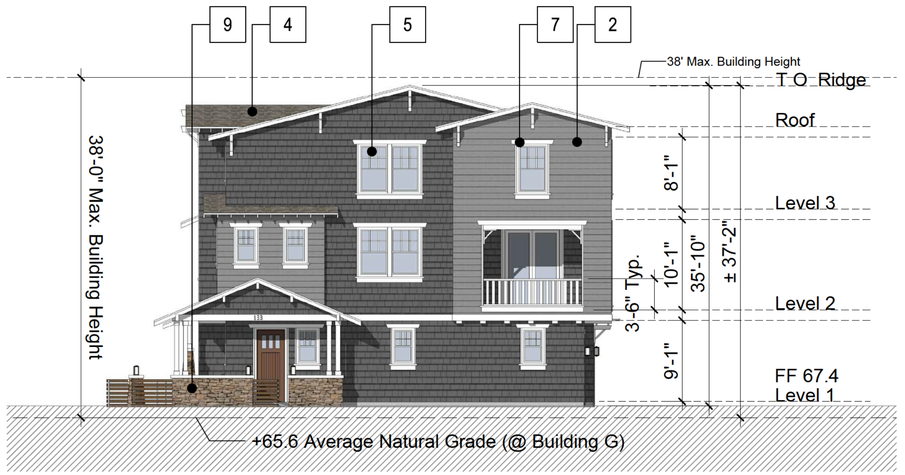
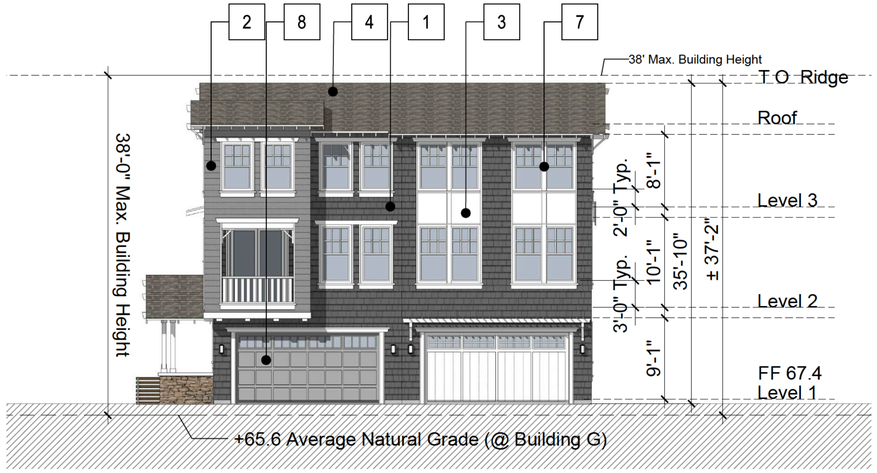


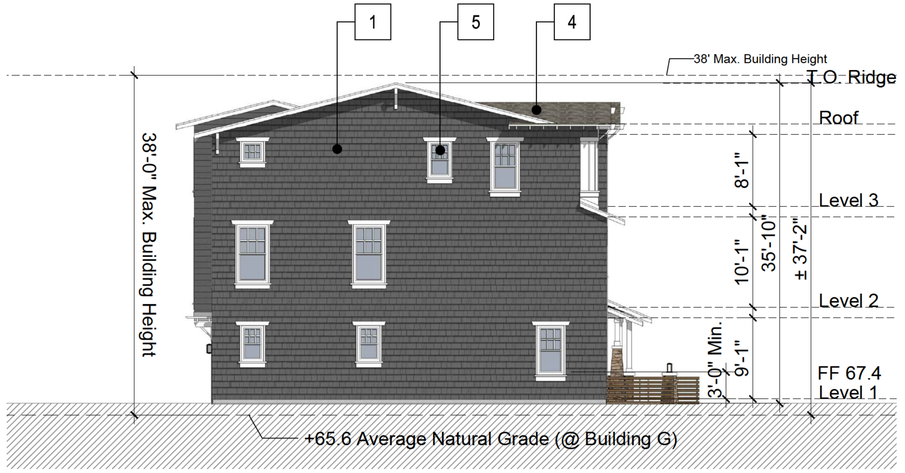

1. Front Elevation - Encinal Avenue



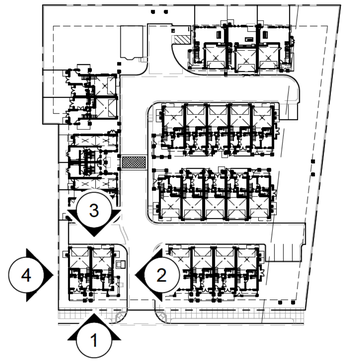

2. Right Elevation




3. Rear Elevation




4. Left Elevation




Key Map n.t.s.

## Material Legend

1. Wood Shingles
2. Fiber Cement Lap Siding
3. Fiber Cement Panel
4. Laminated Composite Shingle Roof (3:12 Pitch)
5. Aluminum Clad Window
6. Wood Railing
7. Wood Trim
8. Smooth Paneled Garage Door
9. Stone Veneer

Note: No use of stucco proposed.

1/8" = 1'-0" (0, 4, 8, 16)

# 133 ENCINAL AVENUE

# CONCEPTUAL ELEVATIONS - BUILDING G

A2.□

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MENLO PARK, CA

KTGY # 2014-0032 04.06.2015

**KTGY Group, Inc.**
**Architecture+Planning**
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Oakland, CA 94607
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## LANDSCAPE & WATER EFFICIENCY DESIGN INTENT STATEMENT

THE LANDSCAPE DESIGN INCORPORATES PRINCIPLES INCLUDED IN THE "BAY FRIENDLY LANDSCAPE GUIDELINES" & WILL COMPLY WITH THE CITY OF MENLO PARK'S DESIGN GUIDELINES & MUNICIPAL CODE.

PLANTS ARE GROUPED BY HYDROZONE, EXPOSURE & LOCAL CLIMATIC CONDITIONS. THE PLANTING DESIGN ALLOWS FOR THE PLANTS TO REACH THEIR NATURAL, FULL-GROWN SIZE AND ELIMINATES THE NEED FOR EXCESSIVE PRUNING OR HEDGING.

SELECTED TREES HAVE BEEN CHOSEN TO PROVIDE A VARIATION OF HEIGHTS, WIDTHS, COLORS, TEXTURES, AND CHARACTER. TREE LOCATION AND ORIENTATION HAVE BEEN DESIGNED FOR MAXIMUM AESTHETIC EFFECT AND PASSIVE SOLAR BENEFITS.

VEGETATED SWALES AND BIORETENTION TREATMENT AREAS WILL BE PLANTED WITH APPROVED WATER CONSERVING CAREX PANSA OR ALTERNATIVE GRASS SPECIES, AND PERIMETER SHRUBS THAT ARE ADAPTED TO BIO-SWALE CONDITIONS.

THE TREES, SHRUBS AND TURF PLANTING AREAS WILL BE DESIGNED FOR MAXIMUM WATER CONSERVATION. THE LANDSCAPE ESTIMATED TOTAL WATER USE WILL NOT EXCEED THE PROJECTS MAXIMUM WATER ALLOWANCE AS SPECIFIED IN THE THE STATE OF CALIFORNIA'S 2010 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE.

THE PLANTING & IRRIGATION DESIGN WILL COMPLY WITH THE STATE OF CALIFORNIA'S 2010 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE & THE CITY OF MENLO PARK'S MUNICIPAL CODE 12.44

THE PLANTS HAVE BEEN SELECTED UTILIZING THE STATE OF CALIFORNIA'S 2010 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE PLANT LIST, WUCOLS III. NO PLANTS ARE USED THAT ARE CONSIDERED INVASIVE IN THE THE REGION AS LISTED BY THE CAL-IPC.

## SF PUC RIGHT OF WAY:

GARDEN PLOTS (RAISED PLANTERS), CITRUS AND SELECTED SHRUBS AND GROUNDCOVER ARE ALLOWABLE PER THE SAN FRANCISCO PUBLIC UTILITIES COMMISSION RIGHT OF WAY REQUIREMENTS. FENCES AND TRELLIS FEATURE ARE SUBJECT TO SFPUC REVIEW AND APPROVAL.. LANDSCAPE PLANS WILL CONFORM TO SFPUC REQUIREMENTS AND REVIEW.

## BUILD IT GREEN LANDSCAPE ITEMS:

THE LANDSCAPE DESIGN WILL INCORPORATE THE FOLLOWING "BUILD IT GREEN" ITEMS TO MAXIMIZE WATER CONSERVATION:

- NO INVASIVE PLANT SPECIES USED ON PROJECT.
- 75%+ OF PLANTS ARE WATER CONSERVING CALIFORNIA NATIVES OR MEDITERRANEAN SPECIES.
- TURF IS TALL FESCUE WITH WATER USE PLANT FACTOR OR 0.8
- TURF ARE IS LESS THAN 33% OF ENTIRE LANDSCAPED AREA.
- PLANTS ARE GROUPED BY WATER NEEDS AND EACH AREA IS IRRIGATED SEPARATELY (I.E., TURF AND SHRUB AREAS HAVE SEPARATE IRRIG. CIRCUITS).
- LOW FLOW SPRINKLER HEADS ARE USED ON PROJECT.
- 2" COMPOST ADDED INTO SOIL.
- 3" OF MULCH ADDED TO SHRUB AND GROUND COVER PLANTING AREAS.

SCALE: 1" = 20'-0"

0 10 20 40

# 133 ENCINAL AVENUE

# CONCEPTUAL LANDSCAPE PLAN

LI.0

**Hunter Properties Inc.**
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MENLO PARK, CA

VALA # 1416 4.04.2015

VAN DORN ABED
LANDSCAPE ARCHITECTS, INC.
81 14TH STREET, SAN FRANCISCO, CA
ZIP 94103 PH (415) 864-1921 FAX (415) 864-4796

| TREES | CODE | BOTANICAL NAME | COMMON NAME | CONT | QTY | REMARKS |
|---|---|---|---|---|---|---|
| | ACE AU3 | Acer rubrum `Autumn Blaze` | Autumn Blaze Red Maple | 15 gal | 2 | REPLACEMENT TREE |
| | ACE COL | Acer rubrum `Columnare` | Red Maple | 15 gal | 5 | REPLACEMENT TREE |
| | GIN AUT | Ginkgo biloba `Autumn Gold` TM | Maidenhair Tree | 24"box | 9 | REPLACEMENT TREE |
| | LAG MU2 | Lagerstroemia x `Muskogee` | Crape Myrtle light lavender | 24"box | 11 | |
| | LAU SAR | Laurus nobilis `Saratoga` | Sweet Bay | 15 gal | 8 | |
| | MAG RO2 | Magnolia stellata `Royal Star` | Royal Star Magnolia | 15 gal | 7 | |
| | PRU CHA | Pyrus calleryana `Chanticleer` | Chanticleer Pear | 15 gal | 11 | |
| | ULM TRU | Ulmus parvifolia `True Green` | True Green Elm | 24"box | 3 | |
| | CHI PIN | x Chitalpa tashkentensis `Pink Dawn` | Pink Dawn Chitalpa | 24"box | 3 | |

| ACCENT TREE | CODE | BOTANICAL NAME | COMMON NAME | CONT | QTY | REMARKS |
|---|---|---|---|---|---|---|
| | MAG LIT | Magnolia grandiflora `Little Gem` | Dwarf Southern Magnolia | 15 gal | 4 | |

| SHRUB STANDARD | CODE | BOTANICAL NAME | COMMON NAME | CONT | QTY | REMARKS |
|---|---|---|---|---|---|---|
| | CIT NAG | Citrus kumquat `Nagami` | Nagami Kumquat | 15 gal | 4 | |
| | CIT IMP | Citrus x limon `Improved Meyer` | Meyer Lemon | 24"box | 8 | |
| | CIT MOR | Citrus x sinensis `Moro` | Moro Blood Orange | 15 gal | 4 | |
| | LAG ZUN | Lagerstroemia x `Zuni` | Tree Crape Myrtle | 15 gal | 8 | |

| SHRUBS | CODE | BOTANICAL NAME | COMMON NAME | SIZE | QTY | REMARKS |
|---|---|---|---|---|---|---|
| | ABU BLU | Abutilon hybridum `Blushing Belle` | Flowering Maple | 5 gal | 41 | |
| | ANI BUS | Anigozanthos x `Bush Gold` | Kangaroo Paw | 5 gal | 33 | |
| | ANI TA2 | Anisodontea x hypomandarum `Tara`s Pink` STD | Tara`s Pink Cape Mallow STD | 5G -STD | 8 | |
| | AZA FO3 | Azalea Indica Toplary | Formosa Azalea 3 Ball Pom Pom Toplary | 5 gal | 1 | |
| | BER CRI | Berberis thunbergii `Crimson Pygmy` | Crimson Pygmy Barberry | 5 gal | 30 | |
| | BER COR | Bergenia cordifolia | Heartleaf Bergenia | 1 gal | 227 | |
| | BUX BEA | Buxus microphylla japonica `Green Beauty` | Green Beauty Boxwood | 5 gal | 3 | |
| | BUX GR5 | Buxus sempervirens `Green Tower` | Green Tower Boxwood | 5 gal | 11 | |
| | CAL LIT | Callistemon citrinus `Little John` | Dwarf Bottle Brush | 5 gal | 11 | |
| | CAM NUC | Camellia japonica `Nuccio`s Gem` | White Camellia | 5 gal | 23 | |
| | CAR PRA | Carex praegracilis | Slender Sedge | 5 gal | 75 | |
| | CAR CAL | Carpenteria californica | Bush Anemone | 5 gal | 15 | |
| | CEA ARR | Ceanothus thyrsiflorus `Arroyo de la Cruz` | Blue Blossom | 5 gal | 7 | |
| | COL PUL | Coleonema pulchrum | Pink Breath Of Heaven | 5 gal | 18 | |
| | COL SUN | Coleonema pulchrum `Sunset Gold` | Golden Breath Of Heaven | 5 gal | 31 | |
| | COT MIC | Cotoneaster microphyllus | Rockspray Cotoneaster | 5 gal | 31 | |
| | DIE BIC | Dietes bicolor | Fortnight Lily | 5 gal | 63 | |
| | DIE VA3 | Dietes grandiflora `Variegata` | Striped Fortnight Lily | 1 gal | 16 | |
| | DOD PUR | Dodonaea viscosa `Purpurea` | Purple Leafed Hopseed Bush | 15 gal | 5 | |
| | ERI CAP | Erigeron glaucus `Cape Sebastian` | Seaside Daisy | 1 gal | 97 | |
| | ERI WAY | Erigeron glaucus `Wayne Roderick` | Seaside Daisy | 5 gal | 67 | |
| | ERY BOW | Erysimum x `Bowles` Mauve` | Wallflower | 5 gal | 5 | |
| | ERY WEN | Erysimum x `Wenlock Beauty | Wallflower | 1 gal | 51 | |
| | ESC NEW | Escallonia rubra `Newport Dwarf` | Dwarf Escallonia | 5 gal | 33 | |
| | ESC APP | Escallonia x `Apple Blossom` | Apple Blossom Escallonia | 5 gal | 3 | |
| | EUP MAR | Euphorbia x martinii | Euphorbia | 1 gal | 22 | |
| | FES OVI | Festuca ovina glauca `Elijah Blue` | Blue Fescue | 5 gal | 183 | |
| | FUC GAR | Fuchsia hybrid `Gartenmeister Bonstedt` | Gartenmeister Fuchsia | 1 gal | 49 | |
| | GRE NOE | Grevillea x `Noellii` | Grevillea | 5 gal | 13 | |
| | HEB COE | Hebe x `Coed` | Hebe | 5 gal | 39 | |
| | HEB VA3 | Hebe x `Variegata` | Variegated Hebe | 5 gal | 28 | |
| | HEU SA3 | Heuchera x `Santa Ana Cardinal` | Coral Bells | 1 gal | 250 | |
| | LIG TE3 | Ligustrum texanum | Texas Privet | 5 gal | 4 | |
| | LIG TE2 | Ligustrum texanum | Texas Privet | 5 gal | 22 | |
| | HEB COE | Hebe x `Coed` | Hebe | 5 gal | 39 | |
| | HEB VA3 | Hebe x `Variegata` | Variegated Hebe | 5 gal | 28 | |
| | HEU SA3 | Heuchera x `Santa Ana Cardinal` | Coral Bells | 1 gal | 250 | |
| | LIG TE3 | Ligustrum texanum | Texas Privet | 5 gal | 4 | |
| | LIG TE2 | Ligustrum texanum | Texas Privet | 5 gal | 22 | |
| | LIR GIG | Liriope gigantea | Giant Liriope | 1 gal | 15 | |
| | LIR GI2 | Liriope gigantea | Giant Liriope | 5 gal | 38 | |
| | LIR NAN | Liriope muscari `Nana Variegata` | Dwarf Variegated Lily Turf | 5 gal | 106 | |
| | LOR SIZ | Loropetalum chinense `Sizzling Pink` | Sizzling Pink Fringe Flower | 5 gal | 33 | |
| | PHO DAZ | Phormium tenax `Dazzler` | New Zealand Flax | 5 gal | 10 | |
| | PHO MA2 | Phormium tenax `Maori Queen` | New Zealand Flax | 5 gal | 17 | |
| | PHO DAR | Phormium x `Dark Delight` | Purple Flax | 5 gal | 23 | |
| | PHO DUE | Phormium x `Duet` | New Zealand Flax | 5 gal | 12 | |
| | PHO YEL | Phormium x `Yellow Wave` | New Zealand Flax | 1 gal | 8 | |
| | PIT CO2 | Pittosporum crassifolium `Compactum` | Dwarf Karo | 5 gal | 57 | |
| | PIT MAR | Pittosporum tenuifolium `Marjorie Channon` | Tawhiwhi | 5 gal | 78 | |
| | PIT CRE | Pittosporum tobira `Cream De Mint` TM | Cream De Mint Dwarf Mock Orange | 1 gal | 84 | |
| | PIT VAR | Pittosporum tobira `Variegata` | Variegated Mock Orange | 5 gal | 22 | |
| | PIT WHE | Pittosporum tobira `Wheelers Dwarf` | Wheeler`s Dwarf Mock Orange | 5 gal | 4 | |
| | POD ICE | Podocarpus x `Icee Blue` | Icee Blue Podocarpus | 15 gal | 7 | |
| | POL MUN | Polystichum munitum | Western Sword Fern | 5 gal | 30 | |
| | RHO OCC | Rhododendron occidentale | Western Azalea | 5 gal | 10 | |
| | RIB SAN | Ribes sanguineum | Red Flowering Currant | 5 gal | 14 | |
| | ROS CAL | Rosa californica | California Wild Rose | 5 gal | 43 | |
| | ROS ZEP | Rosa David Austin `Zeprerin Drouhin" | Climbing Rose | 5 gal | 9 | |
| | ROS IC2 | Rosa floribunda `Iceberg` | Iceberg Rose | 5 gal | 74 | |
| | ROS I34 | Rosa floribunda `Iceberg` Standard | Iceberg Rose Standard | 5 gal | 15 | |
| | ROS P94 | Rosa floribunda `Pink Iceberg` | Rose | 5 gal | 11 | |
| | ROS F23 | Rosa x `Flower Carpet Amber` | Amber Carpet Rose | 2 gal | 33 | |
| | ROS FL4 | Rosa x `Flower Carpet Pink` | Rose | 2 gal | 25 | |
| | ROS FL6 | Rosa x `Flower Carpet White` | Rose | 2 gal | 8 | |
| | SOL ROY | Solanum rantonnetii `Royal Robe` | Paraguay Nightshade STD | 5 gal | 19 | |
| | STA BIG | Stachys byzantina `Big Ears` | Lamb`s Ear | 1 gal | 82 | |
| | TIB URV | Tibouchina urvilleana | Princess Flower | 5 gal | 8 | |
| | WIS AM2 | Wisteria frutescens `Amethyst Falls` | Amethyst Falls Wisteria | 5 gal | 4 | AT TRELLIS TYP. |

# 133 ENCINAL AVENUE

**Hunter Properties Inc.**
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# CONCEPTUAL PLANTING LEGEND

## MENLO PARK, CA

VALA # 1416 4.04.2015

L3.1

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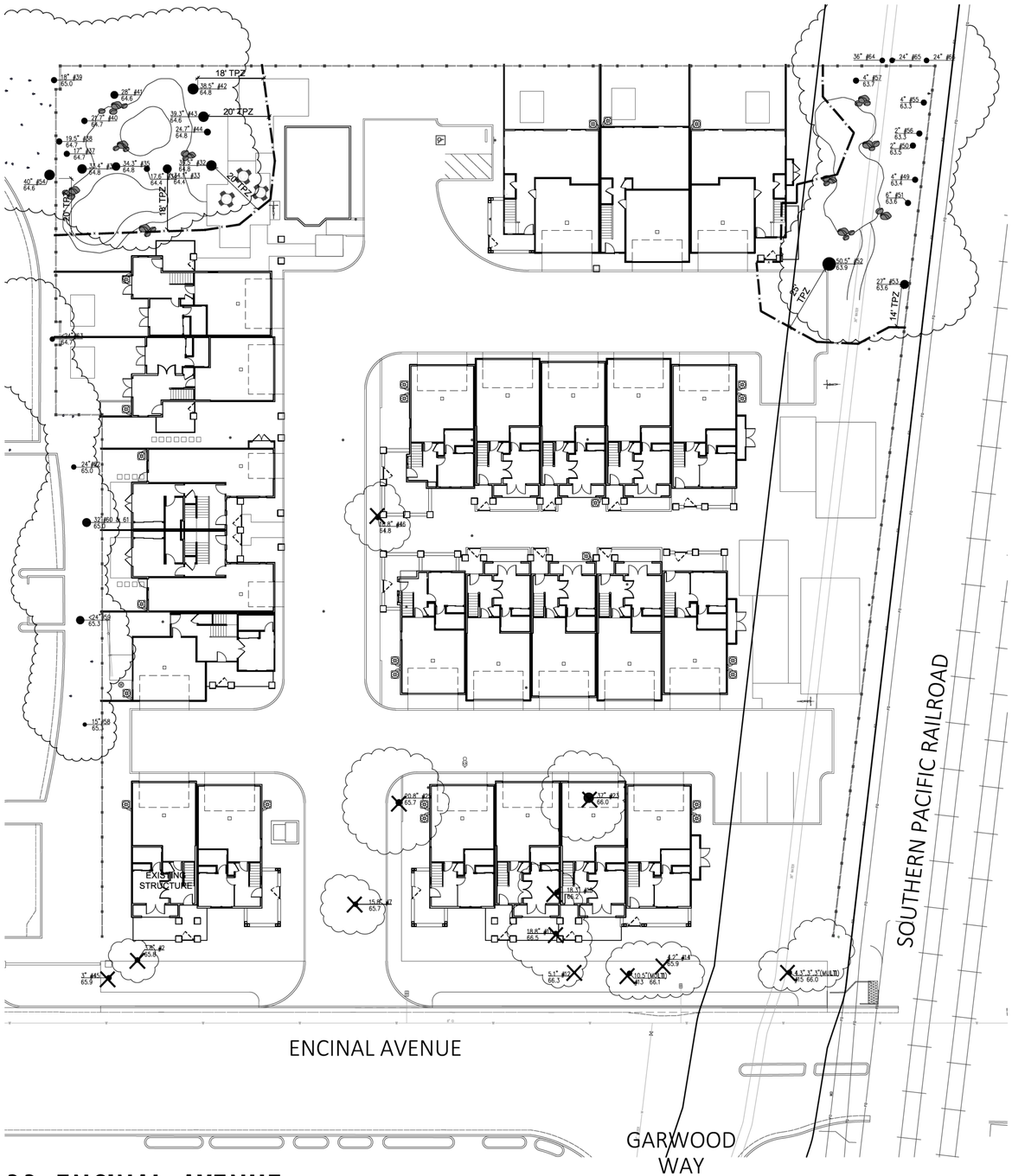


## EXISTING TREE CHART

| TREE NO. | TREE TYPE | CONDITION | DISPOSTION | TPZ SIZE | DIA./HT./SPREAD |
|---|---|---|---|---|---|
| 2 | JAPANESE MAPLE | FAIR | TO BE REMOVED | - | 3.8"/5'/6' |
| 7 | COAST REDWOOD | FAIR-GOOD | TO BE REMOVED | - | 15.8"/25'/12' |
| 10 | INCENSE CEDAR | FAIR | TO BE REMOVED | - | 18.3"/34'/18' |
| 11 | INCENSE CEDAR | FAIR | TO BE REMOVED | - | 18.8"/40'/22' |
| 12 | CRAB APPLE | FAIR | TO BE REMOVED | - | 5.1"/7'/12' |
| 13 | BIRCH | POOR-FAIR | TO BE REMOVED | - | 10.5"/16'/12' |
| 14 | TEA TREE | POOR-FAIR | TO BE REMOVED | - | 4.2"/9'/10' |
| 15 | CRAPE MYRTLE | GOOD | TO BE REMOVED | - | 4.3", 3", 3"/12'/16' |
| 23 | COAST REDWOOD | FAIR | TO BE REMOVED | - | 37"/85'/25' |
| 25 | JAPANESE MAPLE | POOR-FAIR | TO BE REMOVED | - | 20.8"/15'/22' |
| 32 | COAST REDWOOD | FAIR | PRESERVE | 20 FEET | 39.5"/90'/22' |
| 33 | COAST REDWOOD | POOR-FAIR | PRESERVE | 18 FEET | 34.1"/70'/20' |
| 34 | COAST REDWOOD | FAIR | PRESERVE | 10 FEET | 17.6"/75'/16' |
| 35 | COAST REDWOOD | FAIR-GOOD | PRESERVE | 18 FEET | 34.3"/95'/18' |
| 36 | COAST REDWOOD | POOR-FAIR | PRESERVE | 18 FEET | 33.4"/90'/22' |
| 37 | COAST REDWOOD | FAIR | PRESERVE | 10 FEET | 17"/70'/14' |
| 38 | COAST REDWOOD | POOR-FAIR | PRESERVE | 10 FEET | 19.5"/85'/15' |
| 39 | COAST REDWOOD | POOR-FAIR | PRESERVE | 10 FEET | 18"/75'/16' |
| 40 | COAST REDWOOD | POOR-FAIR | PRESERVE | 11 FEET | 21.7"/80'/16' |
| 41 | COAST REDWOOD | FAIR-GOOD | PRESERVE | 14 FEET | 28"/85'/26' |
| 42 | COAST REDWOOD | FAIR | PRESERVE | 18 FEET | 35.5"/85'/30' |
| 43 | COAST REDWOOD | FAIR-GOOD | PRESERVE | 20 FEET | 39.3"/85'/34' |
| 44 | COAST REDWOOD | FAIR | PRESERVE | 13 FEET | 24.7"/75'/18' |
| 45 | JAPANESE MAPLE | FAIR-GOOD | TO BE REMOVED | - | 3"/12'/6' |
| 46 | COAST REDWOOD | FAIR | TO BE REMOVED | - | 16.8"/35'/10' |
| 52 | COAST LIVE OAK | FAIR | PRESERVE | 25 FEET | 50.5"/55'/50' |
| 53 | COAST LIVE OAK | FAIR | PRESERVE | 14 FEET | 27"/35'/38' |
| 54 | COAST REDWOOD | FAIR | PRESERVE | 20 FEET | 40"/80'/22' |
| 58 | COAST LIVE OAK | | PRESERVE | 12 FEET | EST 15" |
| 59 | SYCAMORE | | PRESERVE | 12 FEET | EST <24" |
| 60 & 61 | COAST LIVE OAK | | PRESERVE | 12 FEET | 32" |
| 62 | COAST LIVE OAK | | PRESERVE | 12 FEET | EST <24" |
| 63 | COAST LIVE OAK | | PRESERVE | 12 FEET | EST <24" |
| 64 | COAST REDWOOD | | PRESERVE | 18 FEET | EST 36" |
| 65 | MONTEREY PINE | | PRESERVE | 15 FEET | EST 24" |
| 66 | MONTEREY PINE | | PRESERVE | 15 FEET | EST 24" |

## EXISTING TREE LEGEND:

- #42 redwood — EXISTING PROTECTED/HERITAGE TREE TO REMAIN, TYP.
- NP #27 — EXISTING NON-PROTECTED TREE TO REMAIN, TYP.
- #7 redwood — EXISTING PROTECTED/HERTIAGE TREE TO BE REMOVED, TYP.
- TREE PROTECTION FENCE (TPZ)

## EXISTING TREE NOTES:

- TOTAL NUMBER OF EXISTING PROTECTED/HERITAGE TREES ON SITE = 28
- # OF EXISTING PROTECTED/HERITAGE TREES PROPOSED FOR REMOVAL = 12

MITIGATION:

- NUMBER OF TREES WITH DIAMETER >15": 6
- NUMBER OF 15 GAL. MIN. REPLACEMENT TREES REQUIRED: 12

TREE DISPOSITION PLAN IS BASED ON ARBORIST REPORT DATED APRIL 3, 2015 FROM McCLENAHAN CONSULTING.

CONTRACTOR TO FOLLOW TREE PROTECTION GUIDELINES AND TPZ FENCING PER ARBORIST REPORT AND ALL CITY REQUIREMENTS.

SCALE: 1" = 20'-0"

0 10 20 40

# 133 ENCINAL AVENUE

**Hunter Properties Inc.**
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# EXISTING TREE DISPOSITION PLAN

MENLO PARK, CA

VALA # 1416 4.04.2015

L4.0

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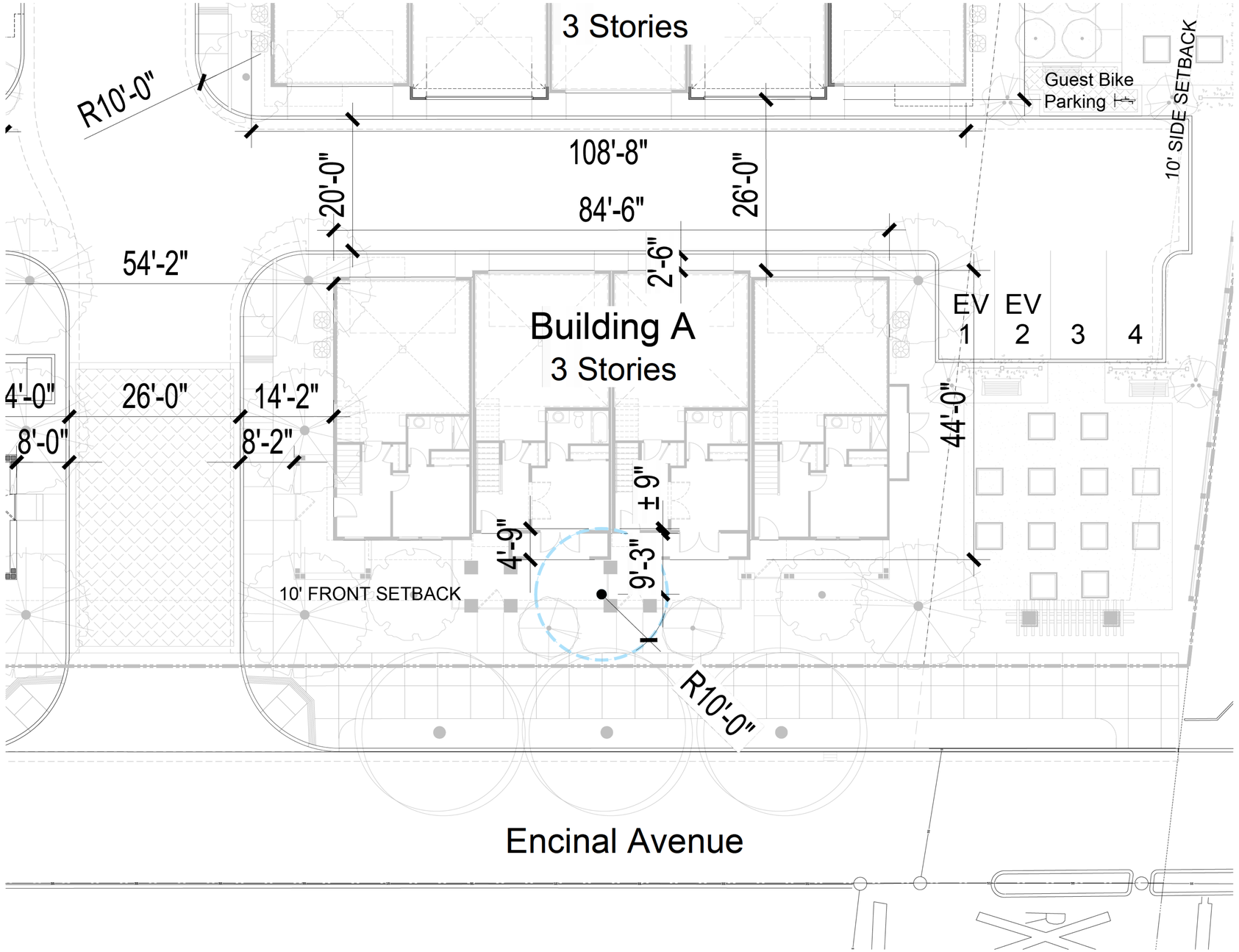


1/8" = 1'-0"

0 4 8 16

# 133 ENCINAL AVENUE

**Hunter Properties Inc.**
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408.255.4100

# TREE #1 EXHIBIT

MENLO PARK, CA

KTGY # 2014-0032 05.27.2015

**KTGY Group, Inc.**
**Architecture+Planning**
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Oakland, CA 94607
510.272.2910
ktgy.com

ATTACHMENT D

# ARBORIST REPORT

Submitted To:

**Hunter Properties, Inc.**
**Attention: Mr. Sachneel Patel**
**10121 Miller Avenue #200**
**Cupertino, CA 95014**

Project Location:

**133 Encinal Avenue**
**Menlo Park, CA**

Submitted By:
**McCLENAHAN CONSULTING, LLC**
**John H. McClenahan**
**ISA Board Certified Master Arborist, WE-1476B**
**member, American Society of Consulting Arborists**
**April 3, 2015**

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www.spmcclenahan.com

April 3, 2015

**Hunter Properties, Inc.**
Attn: **Mr. Sachneel Patel**
10121 Miller Avenue #200
Cupertino, CA 95014

RE **133 Encinal Avenue**
**Menlo Park, CA**

## Assignment

As requested, I performed a visual inspection of 37 trees protected by city ordinance to determine species, size, condition, disposition and impacts from construction. In addition, *Tree Protection Zones* have been assigned to neighboring trees within 10-feet of property line. Please be advised this report has been updated from our previously submitted report of June 6, 2014.

## Summary

Trees in this report correspond to the numbers shown on the topographic survey. Proposed site development will require removal of three small city street trees (12, 14 and 45) and five city protected trees (10, 15, 23, 25 and 46) on site. Further review of plans may be necessary to determine if additional small right of way trees will require removal. Current plans show the grove of redwoods at the left rear corner and cluster of live oaks at right rear corner as remaining. Tree protection fencing should surround each grouping of trees. This fencing will adequately protect the neighboring trees at the right rear corner. Fencing should also be installed to protect neighboring oaks, etc. at the 1600 El Camino fence line.

- Any grading or excavation within *Tree Protection Zones (TPZ's)* must be accomplished by hand digging.
- A qualified arborist must supervise any cutting of roots greater than one inch diameter.
- Mitigation is required for root cutting inside the *TPZ*.

## Methodology

No root crown exploration, climbing or plant tissue analysis was performed as part of this survey.

In determining Tree Condition several factors have been considered which include:

Rate of growth over several seasons;
Structural decays or weaknesses;
Presence of disease or insects; and
Life expectancy.

**Tree Description/Observation**

**2 Japanese maple** *(Acer palmatum 'dissectum')*
**Diameter:** 3.8"
**Height:** 5' **Spread:** 6'
**Condition:** Fair
**Location:** Street tree
**Observation:** Surface rooting observed. The *TPZ is 6-feet.*

**7 Coast redwood** *(Sequoia sempervirens)*
**Diameter:** 15.8"
**Height:** 25' **Spread:** 12'
**Condition:** Fair to Good
**Location:** Front parking lot
**Observation:** Planter box and asphalt parking lot create a poor root environment. The *TPZ is 8-feet.*

**10 Incense cedar** *(Calocedrus decurrens)*
**Diameter:** 18.3"
**Height:** 34' **Spread:** 18'
**Condition:** Fair
**Location:** Front parking strip
**Observation:** Crown appears water stressed with a moderate accumulation of deadwood. Poor root environment. Proposed for removal.

**11 Incense cedar**
**Diameter:** 18.8"
**Height:** 40' **Spread:** 22'
**Condition:** Fair
**Location:** Front parking strip
**Observation:** Crown appears water stressed with a moderate accumulation of deadwood. Poor root environment. The *TPZ is 10-feet.*

**12 Weeping crabapple** *(Malus floribunda)*
**Diameter:** 5.1"
**Height:** 7' **Spread:** 12'
**Condition:** Fair
**Location:** Street tree
**Observation:** Surface rooting observed. Proposed for removal.

**13 White birch** *(Betula jaquemontii)*
**Diameter:** 10.5" Low Branching
**Height:** 16' **Spread:** 12'
**Condition:** Poor to Fair
**Location:** Street tree
**Observation:** Lacks vigor, water stressed.

**14 New Zealand tea tree** *(Leptospermum scoparium)*
**Diameter:** 4.2"
**Height:** 9' **Spread:** 10'
**Condition:** Poor to Fair
**Location:** Street tree
**Observation:** Lacks vigor, water stressed. Proposed for removal.

**15 Crape myrtle** *(Lagerstroemia indica)*
**Diameter:** 4.3, 3, 3" Multi trunk
**Height:** 12' **Spread:** 16'
**Condition:** Good
**Location:** Street tree
**Observation:** Minor interior deadwood. Proposed for removal.

**23 Coast redwood**
**Diameter:** 37.0"
**Height:** 85' **Spread:** 25'
**Condition:** Fair
**Location:** Adjacent to building
**Observation:** Exisitng roof overhang is constructed around tree. Very poor root environment, concrete surrounds root flare. Proposed for removal.

**25 Japanese maple** *(Acer palmatum)*
**Diameter:** 20.8" Multi trunk
**Height:** 15' **Spread:** 22'
**Condition:** Poor to Fair
**Location:** Front of carriage house
**Observation:** Dieback of upper crown observed. Poor structure. Limited root environment. Proposed for removal.

**32 Coast redwood**
**Diameter:** 39.5"
**Height:** 90' **Spread:** 22'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Crown is one sided from grove effect. Deadwood observed. The *TPZ is 20-feet.*

**33 Coast redwood**
**Diameter:** 34.1"
**Height:** 70' **Spread:** 20'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Dead top. Crown is one sided. The *TPZ is 18-feet.*

**34 Coast redwood**
**Diameter:** 17.6"
**Height:** 75' **Spread:** 16'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Crown is one sided from grove effect. Deadwood observed. Subdominant tree. The *TPZ is 10-feet.*

**35 Coast redwood**
**Diameter:** 34.3"
**Height:** 95' **Spread:** 18'
**Condition:** Fair to Good
**Location:** Grove left rear corner
**Observation:** Trumpet vine climbing crown. The *TPZ is 18-feet.*

**36 Coast redwood**
**Diameter:** 33.4"
**Height:** 90' **Spread:** 22'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Water stressed. Irregular curvature of stem. The *TPZ is 18-feet.*

**37 Coast redwood**
**Diameter:** 17.0"
**Height:** 70' **Spread:** 14'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Subdominant tree. The *TPZ is 10-feet.*

**38 Coast redwood**
**Diameter:** 19.5"
**Height:** 85' **Spread:** 15'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Abnormal cankers or old wounds observed at three heights from 10-35 feet on stem. The *TPZ is 10-feet.*

**39 Coast redwood**
**Diameter:** 18"
**Height:** 75' **Spread:** 16'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Subdominant tree. Low vigor. Neighbor's tree. The *TPZ is 10-feet.*

**40 Coast redwood**
**Diameter:** 21.7"
**Height:** 80' **Spread:** 16'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Subdominant tree. Low vigor and branch dieback observed. The *TPZ is 11-feet.*

**41 Coast redwood**
**Diameter:** 28.0"
**Height:** 85' **Spread:** 26'
**Condition:** Fair to Good
**Location:** Grove left rear corner
**Observation:** Lower crown is one sided. The *TPZ is 14-feet.*

**42 Coast redwood**
**Diameter:** 35.5" Low Branching
**Height:** 85' **Spread:** 30'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Crown is one sided from grove effect. Deadwood observed. Codominant leaders at 3-feet. Recommend cable support. The *TPZ is 18-feet.*

**43 Coast redwood**
**Diameter:** 39.3"
**Height:** 85' **Spread:** 34'
**Condition:** Fair to Good
**Location:** Grove left rear corner
**Observation:** Lower crown is one sided from grove effect. Deadwood observed. The *TPZ is 20-feet.*

**44 Coast redwood**
**Diameter:** 24.7"
**Height:** 75' **Spread:** 18'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Crown is one sided from grove effect. Deadwood observed. The *TPZ is 13-feet.*

**45 Japanese maple**
**Diameter:** 3.0"
**Height:** 12' **Spread:** 6'
**Condition:** Fair to Good
**Location:** Street tree
**Observation:** Young establishing tree. The *TPZ is 5-feet.*

**46 Coast redwood**
**Diameter:** 16.8"
**Height:** 35' **Spread:** 10'
**Condition:** Fair
**Location:** Asphalt area behind carriage house
**Observation:** Appears water stressed. Irregular curvature of stem. Proposed for removal.

**52 Coast live oak** *(Quercus agrifolia)*
**Diameter:** 50.5"
**Height:** 55' **Spread:** 50'
**Condition:** Fair
**Location:** Right side setback
**Observation:** Crown exhibits a moderate accumulation of deadwood. Large old pruning wounds exhibit decay. Grows to an exaggerated southwest lean. The *TPZ is 25-feet.*

**53 Coast live oak**
**Diameter:** 27.0"
**Height:** 35' **Spread:** 38'
**Condition:** Fair
**Location:** Right side fence
**Observation:** Crown exhibits a moderate accumulation of deadwood. Previous crown reduction pruning has occurred. Leans toward street. Fruiting body from *Ganoderma applanatum* observed on compression side of lean. The *TPZ is 14-feet.*

**54 Coast redwood**
**Diameter:** 40"
**Height:** 80' **Spread:** 22'
**Condition:** Fair
**Location:** Grove at left rear Neighbor tree
**Observation:** Crown is one sided. Irregular curvature of stem. The *TPZ is 20-feet.*

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64 **Coast redwood**
**Diameter:** Est 36"
**Height:** **Spread:**
**Location:** Neighbors tree right rear corner
**Observation:** The *TPZ is 18-feet.*

65 **Monterey pine** *(Pinus radiata)*
**Diameter:** Est 24"
**Location:** Neighbors tree right rear corner
**Observation:** The *TPZ is 15-feet.*

66 **Monterey pine**
**Diameter:** Est 24"
**Location:** Neighbors tree right rear corner
**Observation:** The *TPZ is 15-feet*. Significant crown dieback.

58 **Coast live oak**
**Diameter:** Est 15”
**Location:** Neighbor's at1600 El Camino
**Observation:** The TPZ is 12-feet.

59 **Sycamore** *(Platanus x acerifolia)*
**Diameter:** Est <24”
**Location:** Neighbor's at1600 El Camino
**Observation:** *TPZ is 12-feet.*

60 & 61 **Coast live oak**
**Diameter:** 32.0”, multi trunk (previously described as 2 trees)
**Location:** Neighbor's at1600 El Camino
**Observation:** *TPZ is 12-feet.*

62 **Coast live oak**
**Diameter:** Est <24”, bifurcation at 4-1/2 feet
**Location:** Neighbor's at1600 El Camino
**Observation:** *TPZ is 12-feet.*

63 **Coast live oak**
**Diameter:** Est <24”, leaning toward 1600 El Camino
**Location:** Neighbor's at1600 El Camino
**Observation:** *TPZ is 12-feet.*

## TREE PRESERVATION GUIDELINES

### Tree Preservation and Protection Plan

In providing recommendations for tree preservation, we recognize that injury to trees as a result of construction include mechanical injuries to trunks, roots and branches, and injury as a result of changes that occur in the growing environment.

To minimize these injuries, we recommend grading operations encroach no closer than six times the trunk diameter, (i.e. 30" diameter tree x 6=180" distance). At this distance, buttress/anchoring roots would be preserved and minimal injury to the functional root area would be anticipated. Should encroachment within the area become necessary, hand digging is ***mandatory.***

### Barricades

Prior to initiation of construction activity, temporary barricades should be installed around all trees in the construction area. Six-foot high, chain link fences are to be mounted on steel posts, driven 2 feet into the ground, at no more than 10-foot spacing. The fences shall enclose the entire area under the drip line of the trees or as close to the drip line area as practical. These barricades will be placed around individual trees and/or groups of trees as the existing environment dictates.

The temporary barricades will serve to protect trunks, roots and branches from mechanical injuries, will inhibit stockpiling of construction materials or debris within the sensitive 'drip line' areas and will prevent soil compaction from increased vehicular/pedestrian traffic. No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground around the tree canopy shall not be altered. These barricades should remain in place until final inspection of the building permit, except for work specifically required in the approved plans to be done under the trees to be protected. Designated areas beyond the drip lines of any trees should be provided for construction materials and onsite parking.

### Root Pruning (if necessary)

During and upon completion of any trenching/grading operation within a tree's drip line, should any roots greater than one inch (1") in diameter be damaged, broken or severed, root pruning to include flush cutting and sealing of exposed roots should be accomplished under the supervision of a qualified Arborist to minimize root deterioration beyond the soil line ***within twenty-four (24) hours.***

### Pruning

Pruning of the foliar canopies to include removal of deadwood is recommended and should be initiated prior to construction operations. Such pruning will provide any necessary construction clearance, will lessen the likelihood or potential for limb breakage, reduce 'windsail' effect and provide an environment suitable for healthy and vigorous growth.

### Fertilization

A program of fertilization by means of deep root soil injection is recommended with applications in spring and summer for those trees to be impacted by construction.

Such fertilization will serve to stimulate feeder root development, offset shock/stress as related to construction and/or environmental factors, encourage vigor, alleviate soil compaction and compensate for any encroachment of natural feeding root areas.

Inception of this fertilizing program is recommended prior to the initiation of construction activity.

**Irrigation**
A supplemental irrigation program is recommended for the non-oak trees and should be accomplished at regular three to four week intervals during the period of May 1st through October 31st. Irrigation is to be applied at or about the 'drip line' in an amount sufficient to supply approximately fifteen (15) gallons of water for each inch in trunk diameter.

Irrigation can be provided by means of a soil needle, 'soaker' or permeable hose. When using 'soaker' or permeable hoses, water is to be run at low pressure, avoiding runoff/puddling, allowing the needed moisture to penetrate the soil to feeder root depths.

**Mulch**
Mulching with wood chips (maximum depth 3") within tree environments (outer foliar perimeter) will lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.

**Inspection**
Periodic inspections by the ***Site Arborist*** are recommended during construction activities, particularly as trees are impacted by trenching/grading operations.

Inspections at approximate four (4) week intervals would be sufficient to assess and monitor the effectiveness of the Tree Preservation Plan and to provide recommendations for any additional care or treatment.



We thank you for this opportunity to be of assistance in your tree preservation concerns.

Should you have any questions, or if we may be of further assistance in these concerns, kindly contact our office at any time.

Very truly yours,

**McCLENAHAN CONSULTING, LLC**

By: **John H. McClenahan**
ISA Board Certified Master Arborist, WE-1476B
member, American Society of Consulting Arborists

JHMc: cm

McClenahan Consulting, LLC
Arboriculturists Since 1911
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Fax (650) 854-1267
www.spmcclenahan.com

# ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like a medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, landlord-tenant matters, etc. Arborists cannot take such issues into account unless complete and accurate information is given to the arborist. The person hiring the arborist accepts full responsibility for authorizing the recommended treatment or remedial measures.

Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate all risks is to eliminate all trees.

Arborist: _____
John H. McClenahan
Date: April 3, 2015


McClenahan Consulting, LLC

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A

# City Arborist Evaluation Form

**Address:** 133 ENCINAL AVE. **Permit #** 14-00144

**Type of tree:** SEQUOIA SEMPERVIRENS #7

Private property Yes ☒ No ☐ Residential ☐ Commercial ☒

Structure GOOD Approximate Height 30'

Health GOOD Diameter (at 4 feet) 16"

Overall GOOD

**Observations:**

Mainstem (s) NO DEFECTS VISABLE@ TIME OF INSPECTION

Other branches NORMAL FOR AGE & SPECIES

Roots MINOR GIRDLING ROOT ON NORTH SIDE OF TRUNK

Cavities NONE VISABLE @ TIME OF INSPECTION

Decay NONE VISABLE

Growth NORMAL FOR AGE & SPECIES

Conditions around tree PLANTER - 15'x30' ASPHALT OUTSIDE IN PARKING

Other heritage trees nearby CEDAR, MAPLE, REDWOOD, BIRCH

Other comments MINOR SUCKERS ON LOWER TRUNK

**Category (check one):**

- ☐ Structural problem
- ☐ Possibly hazardous
- ☐ Diseased
- ☐ Dead (or nearly dead)
- ☒ Property Damage
- ☒ Construction related
- ☐ Emergency
- ☐ Other

**Conclusions:**

- ☒ Permit Approved
- ☐ No Permit decision at this time. Further evaluation by the City is recommended.

Signed Timothy R. Boyer City Arborist. Date 11/6/14

B

# City Arborist Evaluation Form

**Address:** 133 EUCLID AVE **Permit #** 14-00144

**Type of tree:** CALOCEDRUS DECURRENS #19

Private property Yes ☒ No ☐ Residential ☐ Commercial ☒

Structure GOOD Approximate Height 30'

Health FAIR / GOOD Diameter (at 4 feet) 18"

Overall GOOD

**Observations:**

Mainstem (s) FREE OF ANY USABLE DEFECTS

Other branches UNBALANCE CROWN - THIN ON SOUTH SIDE DUE TO COMPETING ADJACENT TR SPARSE CANOPY W/ MINOR DIEBACK

Roots NO USABLE SIGNS OF DAMAGE @ TIME OF INSPECTION

Cavities NONE USABLE

Decay NONE USABLE

Growth NORMAL FOR AGE, SPECIES

Conditions around tree PLANTER IN ASPHALT FRONT PARKING LOT - 15' x 20' RIVERSTONE AS GROUNDCOVER

Other heritage trees nearby CEDAR, REDWOOD, MAPLE, BIRCH

Other comments

**Category (check one):**

- ☐ Structural problem
- ☐ Possibly hazardous
- ☐ Diseased
- ☐ Dead (or nearly dead)
- ☐ Property Damage
- ☒ Construction related
- ☐ Emergency
- ☐ Other

**Conclusions:**

- ☒ Permit Approved
- ☐ No Permit decision at this time. Further evaluation by the City is recommended.

Signed [signature] City Arborist. Date 11/6/14

C

# City Arborist Evaluation Form

**Address:** 133 ENCINAL AVE. **Permit #** 14-00144

**Type of tree:** CALOCEDRUS DECURRENS #11

Private property Yes ☒ No ☐ Residential ☐ Commercial ☒

Structure GOOD Approximate Height 40'

Health FAIR / GOOD Diameter (at 4 feet) 19"

Overall FAIR / GOOD

**Observations:**

Mainstem (s) FREE OF ANY VISABLE DEFECTS

Other branches MODERATLY SPARSE INTERIOR CROWN, MINOR DIEB

Roots NO VISABLE ROOT FLAIR. APPEARS TO HAVE PLANTED TOO LOW / HA A CHANGE IN GRADE

Cavities NONE VISABLE @ TIME OF INSPECTION

Decay NONE VISABLE

Growth NORMAL FOR AGE & SPECIES

Conditions around tree FRONT PARTIAL LOT ASPHALT CUTOUT (15'X20') W/ RIVERS

Other heritage trees nearby INCENSE CEDAR, REDWOOD, MAPLE, BITTE

Other comments RECOMEND ROOT COLLAR EXCAVATION & SPECIAL PROVISION FOR RETENTION. NOT W/IN FOOTPRINT OF PROPOSED STRUCT

**Category (check one):**

- ☐ Structural problem
- ☐ Possibly hazardous
- ☐ Diseased
- ☐ Dead (or nearly dead)
- ☐ Property Damage
- ☐ Construction related
- ☐ Emergency
- ☐ Other

**Conclusions:**

- ☐ Permit Approved
- ☒ No Permit decision at this time. Further evaluation by the City is recommended.

Signed [signature] City Arborist. Date 11/6/14

D

# City Arborist Evaluation Form

**Address:** 133 ENCINAL AVE. **Permit #** 14-00144

**Type of tree:** LAGERSTROMIA INDICA #15

Private property Yes ☐ No ☐ Residential ☐ Commercial ☒

Structure GOOD / FAIR Approximate Height 15'

Health GOOD Diameter (at 4 feet) 17"

Overall GOOD

**Observations:**

Mainstem (s) MULTI TRUNK, 3 STEMS W/ 1 BARK INCLUSI

Other branches WELL SPACED THROUGOUT CANOPY

Roots NO VISABLE SIGNS OF DAMAGE @ TIME OF VIS

Cavities NONE VISABLE

Decay NONE VISABLE

Growth NORMAL FOR AGE & SPECIES

Conditions around tree FRONT PLANTER, ≈ 7' FROM SIDEWALK

Other heritage trees nearby BIRCH, CEDAR, REDWOOD, OAK

Other comments BARK INCLUSION ON 1 OF 3 MAIN STEMS - HIGH LIKELIHOOD OF FAILURE

**Category (check one):**

- ☐ Structural problem
- ☐ Possibly hazardous
- ☐ Diseased
- ☐ Dead (or nearly dead)
- ☐ Property Damage
- ☒ Construction related
- ☐ Emergency
- ☐ Other

**Conclusions:**

- ☒ Permit Approved
- ☐ No Permit decision at this time. Further evaluation by the City is recommended.

Signed Christy R. Bar City Arborist. Date 11/5/14

E

# City Arborist Evaluation Form

**Address:** 133 ENCINAL AVE **Permit #** 14-00144

**Type of tree:** SEQUOIA SEMPERVIRENS #23

Private property Yes ☒ No ☐ Residential ☐ Commercial ☒

Structure GOOD Approximate Height 80'

Health GOOD / FAIR Diameter (at 4 feet) 37"

Overall GOOD

**Observations:**

Mainstem (s) GROWING THROUGH EAVE CUT OUT

Other branches MODERATE THINNING OF UPPER CROWN

Roots SURFACING ROOTS DISPLACING SURROUNDING HARDSCA

Cavities NONE VISABLE @ TIME OF INSPECTION

Decay NONE VISABLE

Growth NORMAL FOR AGE & SPECIES

Conditions around tree CONCRETE CUT OUT IN WALKWAY PLAN
LESS THAN 5' FROM STRUCTURE

Other heritage trees nearby CEDAR, BIRCH, REDWOOD, M

Other comments

**Category (check one):**

- ☐ Structural problem
- ☐ Possibly hazardous
- ☐ Diseased
- ☐ Dead (or nearly dead)
- ☐ Property Damage
- ☒ Construction related
- ☐ Emergency
- ☐ Other

**Conclusions:**

- ☒ Permit Approved
- ☐ No Permit decision at this time. Further evaluation by the City is recommended.

Signed [signature] City Arborist. Date 11/6/14

F

# City Arborist Evaluation Form

**Address:** 133 EVELYN AVE. **Permit #** 14-041144

**Type of tree:** ACER PALMATUM #25

Private property Yes ☒ No ☐ Residential ☐ Commercial ☒

Structure FAIR / POOR Approximate Height 15'

Health FAIR Diameter (at 4 feet) 21"

Overall FAIR

**Observations:**

Mainstem (s) MULT-TRUNKED W/ 3 MAIN LEADERS. / LARGE BARK INCLUS

Other branches DIEBACK IN UPPER CROWN

Roots NO VISABLE SIGNS OF DAMAGE @ TIME OF INSPECTION

Cavities SEVERAL CAVITIES FROM PREVIOUS PRUNING ON MAIN STEM

Decay PRESENT IN LARGER CAVITES

Growth NORMAL FOR AGE & SPECIES

Conditions around tree PLANTER IN FRONT OF STRUCTURE

Other heritage trees nearby REDWOOD, CEDAR, BIRCH

Other comments APPEARS TO BE DROUGHT STRESSED

**Category (check one):**

- ☐ Structural problem
- ☐ Possibly hazardous
- ☐ Diseased
- ☐ Dead (or nearly dead)
- ☐ Property Damage
- ☒ Construction related
- ☐ Emergency
- ☐ Other

**Conclusions:**

- ☒ Permit Approved
- ☐ No Permit decision at this time. Further evaluation by the City is recommended.

Signed [signature] City Arborist. Date 11/6/14

G

# City Arborist Evaluation Form

**Address:** 133 ENCINAL AVE. **Permit #** 14-00144

**Type of tree:** SEQUOIA SEMPERVIRENS #46

Private property Yes ☒ No ☐ Residential ☐ Commercial ☒

Structure GOOD Approximate Height 35'

Health FAIR Diameter (at 4 feet) 17"

Overall FAIR

**Observations:**

Mainstem (s) MINOR BOW IN LOWER TRUNK

Other branches SPARSE CANOPY, MINOR DIEBACK

Roots NO DAMAGE VISABLE @ TIME OF INSPECTION

Cavities NONE VISABLE

Decay NONE VISABLE

Growth STUNTED CURRENT SEASONS GROWTH

Conditions around tree GRAVEL / SAND PLANTER (10'X12')

Other heritage trees nearby OAKS, MAGNOLIA, REDWOOD, CEDAR

Other comments MODERATE DROUGHT STRESS.

**Category (check one):**

- ☐ Structural problem
- ☐ Possibly hazardous
- ☐ Diseased
- ☐ Dead (or nearly dead)
- ☐ Property Damage
- ☒ Construction related
- ☐ Emergency
- ☐ Other

**Conclusions:**

- ☒ Permit Approved
- ☐ No Permit decision at this time. Further evaluation by the City is recommended.

Signed [signature] City Arborist. Date 11/6/14

# ENVIRONMENTAL QUALITY COMMISSION
# FINAL MINUTES

**Regular Meeting**
**Wednesday, June 24, 2015 at 6:30 PM**
**City Administration Building**
**701 Laurel Street, Menlo Park, CA 94025**

## CALL TO ORDER

The meeting was called to order at 6:47 p.m.

**ROLL CALL** – Allan Bedwell (Chair), Kristin Kuntz-Duriseti, Deborah Martin, Christina Smolke

Absent: DeCardy, Scott, Barnes

## A. PUBLIC COMMENT (Limited to 30 minutes)

- Steve Van Pelt, resident of Menlo Park stated that he wants to learn more about the City's environmental efforts and asked if the General Plan Advisory Committee (GPAC) had any role in the sea level rise indicated on the GPAC maps.

## B. REGULAR BUSINESS

**B1.** Consider a Recommendation to the City Council on a Request to Remove Seven Heritage Trees on Property Located at 133 Encinal Avenue *(Attachment)* - *45 min*

Jean Lin, Associate City Planner and Sachneel Patel with Hunter Properties briefed the Commission on the project. The applicant also provided an update to the Commission that the project will be removing six heritage trees as they were able to redesign and save tree #11 (heritage incense cedar) that was originally proposed for removal.

**ACTION:** Motion and second (Kuntz-Duriseti/Smolke) to recommend the following:

1. That the applicant consider project modifications to retain tree #2 (non-heritage Japanese maple), tree #25 (heritage Japanese maple), tree #15 (heritage crape myrtle), and tree #23 (heritage coast redwood).
2. That Planning staff look into compliance mechanisms that can be applied to prohibit title transfer if the Heritage Tree Ordinance is violated during construction.

The motion passes (4-0-3), (Absent: DeCardy, Marshall, Barnes).

**B2.** Discuss and Potentially Make Recommendations to the General Plan Advisory Committee (GPAC) to Incorporate Sustainability Goals into the General Plan - *30 mins*

Commissioner Kuntz-Duriseti and Heather Abrams, Environmental Programs Manager provided an update to the Commission.

**Public Comment:**

- Jan Butts, resident of Menlo Park expressed the importance of stormwater management to retain and use rainwater versus wasting runoff.

- Steve Van Pelt, resident of Menlo Park stated that he uses tools such as Google Maps to find out about traffic throughout the area.

- Mitch Slomiak, resident of Menlo Park and former EQC member stated that he would like to see a requirement for data collection and display of green building actual performance.

**ACTION:** No formal vote was taken on this item; Commissioner Kuntz-Duriseti was authorized to draft a letter of recommendation to provide to the GPAC.

**B3.** Make an Appointment to the CAP Subcommittee - *5 mins*

**ACTION:** Motion and second (Bedwell/Smolke) to appoint Deb Martin to CAP subcommittee, passes (4-0-3), (Absent: DeCardy, Scott, Barnes).

**B4.** Receive Update from CAP Subcommittee on California Clean Power and Potentially Make a Recommendation to City Council - *30 mins*

Commission Kuntz-Duriseti provided an update to the Commission.

**Public Comment:**

- Jim Eggemeyer, Director of the Office of Sustainability for San Mateo County stated that his office is leading the CCE effort and has contracted Pacific Energy Advisors to conduct a feasibility study that will be complete in late summer 2015.

- Jan Butts, resident of Menlo Park commented that she would like the EQC to conduct extensive research on CCA options before making a recommendation to City Council. There may be other approaches to achieving one hundred percent renewable energy for the city versus going with a private company. The County JPA model will include more public disclosure.

- Mitch Slomiak, resident of Menlo Park and Vice Chair of Menlo Spark stated that the goal is to get Menlo Park climate neutral within ten years. Suggested that the City adopt a framework around one hundred percent renewable power or as close as we can get to maximize participation.

- Sue Chow, resident of Redwood City and speaking on behalf of the Sierra Club reaffirmed that the Sierra Club supports the public JPA model.

- Mike Ferrera, resident of Moss Beach and speaking on behalf of Sierra Club, stated that the Sierra Club supports the public JPA model since there are a lot of sub-goals that they want to achieve. A public JPA is something that we can work with. A private company only presents a product.

- Diane Bailey, Executive Director of Menlo Spark expressed that Menlo Spark is a strong supporter of the County CCE effort and that she recommends that the EQC focus on how we can maximize renewable power quickly. She also clarified that for the County JPA arrangement there is also a private company providing the energy.

**ACTION:** Motion and Second (Kuntz-Duriseti/Martin) for (1) the Climate Action Plan subcommittee to meet to discuss a set of criteria/comments to provide to CCE/CCP to address and be considered by the EQC, and (2) draft a letter of support to City Council requesting that funds be prioritized for hiring a consultant to conduct an analysis on the different CCE options, passes (4-0-3), (Absent: DeCardy, Marshall, Barnes).

**B5.** Receive Update on the City's New Water Restrictions and State Water Regulations *(Attachment)* – 15 mins

**ACTION:** No formal action was taken on this item. Heather Abrams, Environmental Programs Manager, provides an update to the Commission. Chair Bedwell requests that the City make the information available on the City website.

**B6.** Approve April 22, 2015 Minutes *(Attachment)* – *2 mins*

**ACTION:** Motion and Second (Smolke/Martin) to approve the April 22, 2015 minutes, passes (4-0-3), (Absent: DeCardy, Marshall, Barnes).

**B7.** Approve May 27, 2015 Minutes *(Attachment)* – *2 mins*

**ACTION:** Motion and Second (Bedwell/Martin) to make a correction to the May 27, 2015 minutes to state that Commissioner Kuntz-Duriseti left the meeting at 8:35 p.m., not 7:35 p.m., passes (4-0-3), (Absent: DeCardy, Marshall, Barnes)

**B8.** Select the EQC Vice Chair – *5 mins*

**ACTION:** Motion and second (Bedwell/Kuntz-Duriseti) to appoint Commissioner Martin as EQC Vice Chair passes (4-0-3), (Absent: DeCardy, Marshall, Barnes).

## C. REPORTS AND ANNOUNCEMENTS

**C1.** Staff Update on Environmental Policies to be considered by City Council – 5 mins

**C2.** Commission Subcommittee Reports and Announcements – 2 mins

**C3.** Discuss Future Agenda Items – *5 mins*

## D. ADJOURNMENT

The meeting was adjourned at 9:42 p.m.

Meeting minutes taken by Environmental Quality Commissioner Christina Smolke

Meeting minutes prepared by Vanessa Marcadejas, Environmental Programs Specialist

Minutes accepted at the meeting of August 26, 2015

**Abrams, Heather**

**From:** Andrew Barnes <andrewbarnes1@gmail.com>
**Sent:** Friday, June 19, 2015 4:16 PM
**To:** Abrams, Heather
**Subject:** June 24 meeting / CAP subcommittee

Heather,

Unfortunately I will be out of town on the 24th and will not be able to attend the EQC meeting. My sincere apologies.

At the last EQC meeting I expressed interest in being on the CAP subcommittee. I would like to re-express my interest in being a member of this subcommittee. I see that making an appointment is on the agenda.

I have a particular interest in the subcommittee's work because it deals with energy issues. For example the California Clean Power discussions. And potentially touches into areas like EV chargers and retrofitting street lights to LED. I've got a background in the built environment, commercial facilities, and project financings. This is an area in which I certainly have an interest and would like to get involved.

I don't know if it is possible to put myself up for consideration via email. If it is possible, please consider this my expression of interest to be nominated to serve on the CAP subcommittee.

Very best, Andrew

Andrew Barnes
650.388.9944

## Abrams, Heather

**From:** Scott Marshall <marshall.construction@yahoo.com>
**Sent:** Tuesday, June 23, 2015 2:11 AM
**To:** Abrams, Heather; Ignacio Marie Sheena
**Subject:** Item B - 1 Heritage Trees

Hi Heather and Sheena,

It is a bit difficult to judge the look and feel of trees on an empty lot without seeing them in person. In the past I was a customer of the former Rodger Reynolds Nursery.
It is great to see the developer incorporating the two groves of trees into the landscape plan.Yet, I feel with a small amount of creativity, the sidewalk in front could take on a wavy pattern and go around or between some of the exiting trees in this area. As for tree 46# -Coast Redwood and tree 25# - Japanese Maple, both these trees appear to be in the new layout painting area, and if I follow the plan correctly new trees are going to be planted in approximately the same location.

Once again, doesn't it make sense to keep an establish a tree for landscaping during this severe drought then to plant a new one that may not be able to establish proper root growth with limited water?

Can you sure this with the rest of the EQC?

Thanks again,

Scott

Handout B4

**COUNTY OF SAN MATEO**
COUNTY MANAGER'S OFFICE

John L Maltbie
County Manager/
Clerk of the Board

County Government Center
400 County Center, 1st Floor
Redwood City, CA 94063
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June 24, 2015

Dear City of Menlo Park Environmental Quality Commission members,

As you may know, the County of San Mateo is actively investigating the formation of a local Community Choice Energy (CCE) program (also known as Community Choice Aggregation). Currently, the County is conducting a County-wide technical study to assess the feasibility of a CCE program in San Mateo County. We expect the study to commence in early July and be completed by late summer 2015. In addition, we have established a County-wide CCE Advisory Committee, which meets monthly, and we are conducting a robust outreach on our CCE efforts.

The County is aware that the Environmental Quality Commission is engaged in discussions with California Clean Power—a company that provides community choice program development services. The County has worked with our CCE technical consultants—Pacific Energy Advisors—to develop an assessment of California Clean Power's model for CCE development. The County would like to request an opportunity to present on this assessment as well as provide an overview of our CCE efforts to your Commission before you provide a recommendation to the City Council. Please let us know if it would be possible for us to present at an upcoming Commission meeting.

Thank you for your time and continued interest in CCE,

Jim Eggemeyer
Director, Office of Sustainability
San Mateo County

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## Executive Summary

At the request of San Mateo County, Pacific Energy Advisors, Inc. (PEA) completed an assessment of the fully outsourced Community Choice Aggregation (CCA) service model, which has been recently promoted by an organization known as California Clean Power (CCP). In general terms, the "fully outsourced model" purports to minimize risks and guarantee benefits typically associated with CCA implementation and operation. This approach differs from the approach taken by California's operating CCAs, which have established internal organizations with the intent of providing CCA as a locally focused/locally situated public service organization for the long term. The existing CCAs have opted for more traditional supplier/service arrangements with longer-standing, highly experienced organizations and/or through the development of internal staff, who have been assigned responsibility for certain operational functions. Based on PEA's research and evaluation, there are numerous risks associated with CCP's proposed approach that have not been disclosed nor adequately addressed in the proposed contract terms that were made available for our review. In particular, PEA identified the following key concerns/risks during its assessment of the fully outsourced CCA business model. This list is non-exhaustive; these items, as well as several others, are discussed further within the body of this summary report:

- Diminished community benefits: The community benefits represented by CCP appear to be much smaller than the CCA could otherwise achieve under a self-administered model, bearing in mind current market conditions.[1] In particular, CCP appears to be retaining a disproportionate share of the financial benefits that could otherwise accrue to the CCA under a self-administered model.
- Diminished public involvement and general transparency: Some of the fundamental benefits of CCA formation are increased public involvement, transparency and local accountability with regard to energy planning and supply, service offerings, rate setting, program development and CCA administration among many other concerns. These benefits appear to be minimized under the fully outsourced CCA model. Based on PEA's assessment, it is unclear whether or not the CCA would have any input with regard to CCA rate setting, for example, or if there would be any transparency with regard to the CCP's resource planning and procurement efforts, general financial performance, credit profile, cost of service or various other concerns.
- Viability of long-term rate savings commitment: PEA observes that long-term retail rate guarantees (relative to a specified benchmark) are highly uncommon, if not entirely unavailable, due to expected volatility/uncertainty within domestic power markets. PEA is not aware of an analogous 10-year rate savings commitment, such as the commitment which appears to be made by CCP, elsewhere in the California retail market, including retail service offerings supported by California's largest, most experienced energy suppliers. Over a ten-year planning horizon, it is literally impossible to know what utility rates and/or wholesale power prices may be, so offering a comparative rate guarantee is highly speculative. Regulatory and legislative uncertainties with California's power markets only serve to exacerbate such speculation.
- Potential conflict of interests: PEA observes that CCP appears to serve as both the CCA evaluator and services provider under its business model, eliminating objectivity and potentially introducing a conflict of interest that should be carefully evaluated by the aspiring CCA. None of California's operating CCAs currently receive energy products/services from entities that

[1] Wholesale energy prices are subject to change without notice; utility generation rates may also periodically change. Such changes will directly impact the CCA-utility rate comparison and potential cost of service for the CCA enterprise (to the extent that power supply requirements are not addressed via fixed-price power supply commitments).

contributed to the development of their respective feasibility/technical assessments. Separating these two functions seems necessary and appropriate to promote objectivity during implementation and operation of the CCA enterprise.

- Non-competitive procurement process: PEA observes that the sales approach employed by CCP appears to run counter to the competitive procurement processes typically observed by public entities, eliminating the potential to evaluate CCP's proposal alongside similar offers from other qualified suppliers.

In the summary report that follows, PEA discusses several concerns/risks along with an evaluation of prospective benefits related to the fully outsourced model. PEA recommends that any community considering the fully outsourced model complete a thorough due diligence effort, including the evaluation of other qualified suppliers and service providers as well as a thorough review of proposed contract terms by qualified legal counsel, before engaging in any contractual commitments.

## Background

With an operational track record spanning just over five years, the CCA business model is still relatively new within the state of California, yet the documented benefits of this energy service model – competitive electric generation rates, increased renewable energy supply, reduced attributed greenhouse gas emissions within the electric power sector, economic development and job creation, among other benefits – have been significant. Despite this success, various critics and skeptics continue to search for flaws in an attempt to interrupt the proliferation of new CCA initiatives throughout the state. These attempts have included proposed legislation and regulations to undermine the economics of CCA and/or impose burdensome costs on CCAs, often justified under the guise of protecting other ratepayers from the cost of a potential CCA failure. This realization makes it critically important for all CCA initiatives to exercise discipline and prudence when making key decisions related to implementation and operation.

To date, California's operating CCAs, including Marin Clean Energy (MCE), Sonoma Clean Power (SCP), and Lancaster Choice Energy (LCE) have chosen to implement their respective programs under one of two organizational structures: 1) Joint Powers Agency, as is the case with the MCE and SCP programs, the members of which include multiple municipal jurisdictions generally located within proximity to one another; or 2) Single Municipality, as is the case with LCE, which currently has a service territory that is limited to the City of Lancaster and operates the program as an Enterprise Fund.

During initial operations, the primary energy supply required to serve the customers of California's existing CCAs was secured through direct contractual relationships with experienced Energy Services Providers (ESPs), which were independently selected through publicly administered, competitive solicitation processes. These processes included rigorous evaluative efforts through which the CCA entity carefully and deliberately assessed the capabilities and suitability of prospective suppliers to meet some or all of each CCA's near- and longer-term needs for various energy products, including conventional electric energy, renewable energy, reserve capacity and related services (such as scheduling coordinator services, which must be addressed prior to participating in the California energy market). The competitively administered selection process was critical to identifying the supplier best suited for this important role. Beyond consideration of the ESP's experience and other capabilities, a key consideration in selecting a primary energy supplier was the financial strength of the ESP and its ability to follow-through on its contractual commitments to the CCA. Each operational CCA selected an entity with an investment grade credit rating, and some required posting of collateral by the ESP to act

as performance assurance for the ESP's obligations. Through each competitive solicitation process, there was a great deal of learning that occurred, which allowed each CCA to make an informed decision regarding its preferred supplier(s) in consideration of a wide range of options. Interestingly, each CCA selected a different ESP through its respective solicitation process, which seems to reinforce the importance of such competitive processes when matching unique CCA buyers and suppliers, particularly when the CCA enterprise has limited experience with regard to power procurement. In practice there has been no "one size fits all" solution with regard to necessary energy supply, indicating the importance for aspiring CCAs to consider a broad spectrum of options to best meet their uniquely defined goals and objectives.

While each of the existing CCA's contracted with a primary ESP for purposes of starting service, care was taken to avoid long term dependence upon a single ESP and to ensure the CCA retained ultimate control over its power supply, finances, and compliance with regulatory requirements. An important objective in forming the existing CCA programs has been development of new renewable generation to serve the community and ensuing reductions in greenhouse gas emissions. The ESP contracts have been used as a bridge during the CCA start-up period, while internal capabilities are developed, revenue surpluses are generated and long-term investments in resources and customer programs are made for purposes of providing sustainable value to the community. In short, the CCA programs represent a strategic asset for the community. The long-term approach utilized by existing California CCAs contrasts with the short-term approaches used in some other states, which have tended to rely on outsourcing CCA operation to an ESP under relatively short-term contracts. These programs have been primarily focused on near-term ratepayer savings and have not aspired to increase renewable generation development. Customers in these programs may periodically be served by a different ESP or return to the incumbent utility in accordance with the regulations and market rules existing in those states.

The success of California's CCAs, which has been bolstered in recent years by utility rate increases and prolonged price troughs within wholesale energy markets, has prompted increased interest from aspiring CCA initiatives as well as new market entrants and general opportunism with regard to the CCA business model. Numerous communities are evaluating the feasibility of CCA formation, and new business entities are coming forward in an attempt to capitalize on such interest, including the provision of energy products and related services to CCA enterprises. Certain of these new market entrants aspire to compete with California's most experienced ESPs by promising reduced risk/increased certainty and minimized up-front financial commitments relative to their more "traditional" ESP counterparts.

Selecting a qualified supplier, or multiple qualified suppliers, is one of the most important factors in ensuring the near-term success, particularly with regard to risk mitigation, for aspiring CCAs. The balance of this assessment focuses on the supplier selection process as it relates to a relatively new fully outsourced model, which is being marketed by CCP.

## Assessment of the Fully Outsourced Model

As understood by PEA, CCP organized itself in late 2014. Since that time, CCP has assembled a consortium of management, staff and consultants. Certain key personnel represent varying levels of experience within the electric utility industry generally, but appear to have limited direct experience in the areas of CCA evaluation (e.g., technical feasibility assessment), organization, implementation, administration and operation.

Key benefits of the fully outsourced business model are purported to be: expedited implementation, zero up-front costs (including a complimentary technical feasibility study), guaranteed rate savings, increased renewable energy supply and generally reduced risks to participating communities. It is noteworthy that certain of these guarantees are highly atypical within the electric utility industry as a whole. For example, direct access service providers, many of which are large, long-standing, highly experienced companies with robust risk management practices, rarely offer rate certainty beyond a 36-month planning horizon, and none offer comparative rate savings (relative to an investor-owned utility, for example) over such an extended period of time, primarily due to the uncontrollable risk exposure such a commitment entails. Additionally, the investor-owned utilities do not provide commitments with regard to rate stability, regularly changing rates throughout each calendar based on a variety of factors. To date, PEA is not aware of any attempt to implement the fully outsourced CCA model within California, so there is no tangible evidence, nor example substantiating the ability to achieve the benefits represented by proponents of this approach, particularly over a longer-term operating horizon. With this in mind, it is important for all aspiring CCAs to carefully consider the viability and durability of purported benefits as well as the significance of associated risks before agreeing to proceed with CCA implementation under this approach.

Based on PEA's independent assessment, there are a variety of prospective benefits and risks associated with the fully outsourced model, and it is important to consider potential outcomes under a variety of planning horizons: near-, medium- and longer-term. In the near-term, PEA expects that current wholesale market conditions within the electric utility will generally allow for certain cost advantages for CCAs. As a result, near-term rate savings for participating customers also seems to be a reasonably assumed outcome. However, the durability of stated benefits over the medium- and longer-term planning horizons seems highly questionable in light of inevitable uncertainties related to wholesale electricity pricing and future utility electric rates as well as the inexperienced nature of the service provider itself, which has yet to successfully implement its proposed approach. Furthermore, because the underlying contractual commitments (with regard to electric power supply) are apparently not disclosed by CCP, there is a great deal of uncertainty with regard to the ability of this new market entrant to honor the longer-term supply commitments contemplated in its service agreement. With regard to the prospective benefits and risks associated with the fully outsourced CCA model, as promoted by CCP, PEA has identified the following non-exhaustive list:

***Potential Benefits (and related concerns)***

- Minimized start-up costs: As represented by CCP, the fully outsourced model appears to require no up-front financial commitments by the aspiring municipality CCA. Based on prior experience, start-up costs may range from $1.5 to $2.0 million plus variable working capital requirements and are typically recovered through near-term operating surpluses accrued by the CCA. Securing such startup funding may be challenging for certain communities, depending on unique financial circumstances. Under the CCP business model, this potential barrier to CCA implementation appears to be removed.

- Revenue stream: Under the CCP fully outsourced business model, CCP has pledged to make an annual "Public Benefit Payment" of $2 million to Lake County.[2] Presumably, CCP's proposed Public Benefit Payment would vary based on the unique characteristics, particularly expected annual energy requirements and customer composition, within each municipality to be served by CCP. To date, PEA has not reviewed other CCP services agreements, so it is unclear how the unique characteristics associated with each municipality may impact the expected Public Benefit Payment. Subject to any legal restrictions on the use of electric rate revenues, these funds could be used for energy-related or other public purposes. Conversely, the revenue stream could be substantially higher under a scenario where the CCA has direct control over operating costs and revenues.

- Administrative simplicity: This generalized benefit suggests that outsourcing necessary services/responsibilities typically undertaken by CCAs will require a reduced level of "hands-on" involvement by the participating community/communities. Conversely, hiring staff and/or consultants to perform such activities under direct oversight by the CCA's management will increase administrative rigor but will also contribute to the development of internal competency/expertise (and associated local jobs), which will allow the CCA to represent itself in the event of CCP failure or a future transition to an alternative supply arrangement. The decision to fully outsource CCA operational support will also lead to reduced oversight and transparency with regard to the work activities completed by the third party. Furthermore, under the CCP business model, certain activities associated with the ongoing administration of complimentary programs, such as energy efficiency, demand response and feed-in tariffs, seem to require additional staff/consultants and funding, as the ongoing administration of such programs does not appear to be addressed in CCP's anticipated scope of service.

- Reduced overhead/staffing costs: The benefit of reduced overhead and staffing costs is directly related to the previous bullet – to the extent that the CCA does not hire (or minimally hires) direct staff and/or consultants to support CCA operations, associated costs will be eliminated. It is important to be aware that the decision to forgo hiring or developing staff creates an ongoing dependency between the CCA and CCP. If the CCA chooses to forgo hiring staff, internal technical competency and general self-sufficiency will be diminished, which would not allow continuation of the program in the event that CCP discontinues business operations.

- Rate savings: In consideration of current wholesale energy prices and prevailing utility generation rates, CCP recently represented that participating customers within Lake County will "receive an average of 2% off total electric bills" (with the comparative savings based on utility rates in effect as of January 1st of each year) and also noted that customers of the CCA shall receive rate options similar to those offered by the incumbent utility.[3] It is noteworthy that most customers of California's operating CCAs enjoy cost savings well in excess of the 2% commitment reflected in CCP's service agreement. For example, average rate savings for SCP customers exceeds 5 percent with certain customer classes receiving rate savings in excess of 10 percent. However, under the term of agreement proposed by CCP, which exceeds ten years in duration, it is unclear whether or not CCP will be able to deliver on this commitment in light of the fact that future utility rates and supply costs are unknown. In the near-term, which includes the next 12-to-24 months, prevailing wholesale electricity prices, including prices associated with in-state renewable energy, will likely allow for comparative cost advantages for new CCAs,

[2] Draft Agreement for Community Choice Aggregation Services between the County of Lake and California Clean Power Corporation.
[3] *Ibid.*

which should translate into highly competitive electric rates. Over the medium- and longer-term, however, this prospect becomes far less certain. For instance, PG&E's recent Energy Resource Recovery Account filing suggests that retail generation rates will likely decline and CCA surcharges will likely increase in calendar year 2016, highlighting the unpredictability of utility rates and the potential pressure that could be imposed on CCP's ability to deliver rate savings.

- Increased renewable energy supply (relative to the incumbent utility): CCP recently represented that participating CCA customers within Lake County would receive 33 percent renewable energy, which shall be entirely sourced from Category 1 resources (the Portfolio Content Category, or "PCC," which generally refers to renewable generating resources physically located and/or interconnected to the state of California).[4] It is noteworthy that California-based retail sellers are under no obligation to source renewable energy supply in this manner, using more costly PCC 1 resources in place of other eligible renewable energy options, including PCC2 (typically, out-of-state renewable energy products, which are not delivered contemporaneously with the associated electric energy; the PCC2 product is often referred to as a "firmed/shaped" product) and PCC 3 (generally referred to as "unbundled" renewable energy products, which are sold separately from the electric power produced by the associated renewable generator). Current renewables portfolio standard (RPS) procurement rules allow for retail sellers to procure a mix of PCC1, PCC2 and PCC3 resources – under the currently effective RPS program, the proportion of renewable energy that must be sourced from PCC1 products increases over time; the proportion of renewable energy that may be procured from PCC3 products decreases.

  Based on current market conditions, the premium charged for PCC1 renewable energy products typically ranges from 10- to 20-times the premium amount associated with PCC3 resources. Despite these cost tradeoffs, many retail sellers are opting to displace PCC2 and PCC3 resources with additional PCC1 purchases (in excess of RPS mandates). Certain proponents of this approach appear to be interested in avoiding potential criticisms focused on the imputed environmental benefits associated with unbundled and/or out-of-state renewable energy products. At this point in time, there is not uniform guidance with regard to attributed GHG emissions accounting, but strong philosophical opposition to the use of unbundled renewable energy products has been building within many communities currently operating or evaluating CCA programs. Identification of this opposition seems to be shifting resource planning efforts towards bundled renewable energy alternatives.

  Despite material cost differences between bundled and unbundled renewable energy products, recent pricing downturns for PCC1 renewable energy, particularly California-based, utility-scale solar, have enabled CCA initiatives to plan for increased amounts of bundled renewable energy without significantly impacting associated customer generation rates. However, the specific supply sources, including whether such sources are new or existing, are not identified in the CCP services agreement. There are also no specific commitments made by CCP with regard to longer-term contracts typically required to support the development of new, in-state renewable generating resources. Based on CCP's specified timelines for service commencement, it seems likely that existing renewable generators would be producing/delivering all near-term renewable energy supply, which is not likely to be regional or local. Use of locally situated renewable resources would be merely coincidental with the existence of previously operating renewable resources in the County. Furthermore, in the event that a participating CCA determined to increase/decrease renewable energy content and/or incorporate other resources

[4] *Ibid.*

preferences in its supply portfolio, it appears as though this would not be accommodated under the CCP business model.

- Reduced GHG emissions (relative to PG&E) associated with CCA power supply: CCP commits to delivering a supply portfolio that has a lower GHG emission factor than the incumbent utility. Because annual utility emissions factors are typically reported on a lagged basis (12-14 months following the conclusion of each operating year), CCP will need to be conservative with regard to procuring requisite GHG-free energy supplies to ensure that this commitment can be fulfilled. For example, sufficient quantities of hydroelectric generation will need to be delivered to ensure that the CCA's GHG-free supply portfolio exceeds PG&E's GHG-free content, which approximated 56% in 2014 (comprised of renewable energy – 27%, nuclear energy – 21%, and large hydroelectric generation – 8%, based on PG&E's recently submitted Power Source Disclosure Report for the 2014 calendar year). The methodology, including attributed emissions factors for certain conventional generating sources and/or market purchases, that will be used to complete this comparison is not described by CCP.

***Key Risks***

- Supplier/service provider experience: When evaluating, implementing and operating a new CCA, direct experience is critically important to promote the achievement of successful outcomes. Based on PEA's understanding, the CCP organization has only limited direct experience with CCA operation and virtually no prior experience with CCA evaluation and implementation (other than what has been learned since CCP's formation approximately six months ago). CCP may have professional relationships and/or associations with organizations representing increased levels of direct CCA experience, but this is not described in the CCP materials that PEA has reviewed. The identity of third parties that will be providing key functions related to interfacing with the grid operator and the distribution utility has not been disclosed. With no proven track record and the lack of complete information regarding this organization, there is a high degree of uncertainty with respect to CCP's ability to effectively implement and manage a CCA program.

- Conflict of interest: Based on PEA's understanding, CCP appears to serve as both the CCA evaluator and sole services provider, introducing the potential for a conflict of interest. To date, none of California's operating CCAs have received delivery of energy products/services from organizations which have contributed to the development of their respective CCA feasibility studies. The separation of responsibilities associated with feasibility assessment and energy product delivery seems particularly important, as there is the potential for significant financial benefit once the CCA determines to pursue CCA implementation and begins executing related supply agreements. To the extent that the feasibility analyst is also the intended services provider, it is impossible to ignore the potential conflict that exists. If the feasibility analyst suggests that benefits can be achieved through CCA implementation, the same business stands to financially benefit once supply agreements are consummated. Even if current market conditions and prevailing utility rates clearly point to potential benefits for a prospective CCA, it seems inappropriate to eliminate all objectivity through an exclusive business relationship. At a minimum, aspiring CCAs should seek independent evaluation of anticipated CCA operations prior to selecting a power services provider.

- Supplier non-performance or failure: One of the key risks associated with any power supply agreement is non-performance – a scenario under which the supplier of contracted energy products is not able to fulfill its contractual responsibilities, leaving the buyer (the CCA in this example) exposed to potentially volatile market prices and related financial consequences, regulatory non-compliance (including financial penalties), general planning uncertainty and

other concerns. Once a California community registers with the California Public Utilities Commission as a CCA, certain obligations are created, including compliance with applicable laws (such as California's RPS) and regulations (including the procurement and demonstration of sufficient reserve capacity). The CCP services agreement clearly states that CCP is responsible for "strict ongoing compliance with California and federal laws and regulations applicable to CCA and retail electric commodity service." Further, CCP agrees to indemnify the municipality for any penalties. However, under the CCP business model, the municipality retains ultimate responsibility for shortcomings and deficiencies with regard to these requirements in the event of a default by CCP.

PEA would recommend that adequate performance security in the form of cash, letter of credit or other acceptable instrument should be provided by CCP for the benefit of the municipality to mitigate the risk of a CCP default. This performance security should be separate and apart from the collateral that might be posted by CCP to back its wholesale power purchases and should be appropriately distinguished from the collateral and/or performance security associated with other communities that may be served by CCP.

PEA also recommends that any aspiring CCA retain the services of qualified legal counsel prior to executing any long-term services agreement. Such legal counsel should represent the aspiring CCA member(s) during contract negotiation to ensure that member interests, including specified responsibilities and liabilities, are appropriately reflected in the contract document and that all pertinent terms and conditions are clearly and completely understood prior to contract negotiation.

Further, in the event of supplier failure, the CCA might find itself unprepared to address the necessary customer transition. In a recent memo from CCP to Lake County in which certain responses and clarifications were issued in relation to questions focused on the CCP services agreement and business model, CCP indicated the following: "If CCP is rendered incapable of performing under the contract due to complete dissolution of CCP as a going concern, the County can join another CCA, administer the CCA in house, or forfeit the CCA bond and seamlessly return customers to PG&E service. Because CCP covers the cost of the bond for the return to PG&E service, the return to PG&E service would occur at no expense to the County."

The implications of this response are highly concerning. In particular, CCP seems to suggest that the CCA could readily join another CCA or administer the CCA in house, but neither of these opportunities can be taken for granted, particularly when there is only one operating CCA, MCE, which has a standing policy/protocol for evaluating new members. MCE's new membership process has typically occurred over a period of several months, including a detailed quantitative analysis and multiple publicly-noticed meetings during which prospective membership is discussed and ultimately voted upon by MCE's governing Board. CCP seems to imply that the failed CCA could simply and quickly complete this process without a disruption of service to customers of the failed CCA. In practical terms, this is not feasible.

CCP also suggests that the municipality (Lake County, in this case) could proceed to administer the CCA in house, but this is also practically infeasible due to the fact that participation in the fully outsourced model likely left the municipality with little to no internal technical competence, as such functions were expressly outsourced to CCP. Stated somewhat differently, the CCP business model creates a dependency between the CCA and CCP by virtue of the CCA not needing to develop internal competency/capabilities/expertise. Again, this outcome is practically infeasible due to reasonable timelines required to identify qualified (and available)

technical consultants and/or develop internal technical expertise within the affected community.

The final option noted by CCP is the most concerning: "forfeit the CCA bond and seamlessly return customers to PG&E service." This sounds simple enough, but the potential impacts to California's remaining CCAs could be disastrous: diminished credibility amongst regulators, the California legislature and prospective suppliers; potential increases to the CCA bond amount, which could irreparably harm existing and future CCA initiatives; customer fear and distrust; and a variety of other adverse consequences. The progress of CCAs has been filled with hard-fought successes but has also been obstructed by various critics, skeptics and antagonists, who continue to search for flaws and shortcomings in the CCA business model. To the extent that any new CCA enterprise fails, it may also compromise the ground gained by California's other CCAs. To be perfectly clear, there would be nothing "seamless" about this transition for CCAs at large. The fully outsourced business model appears to leave associated CCAs entirely unprepared to deal with the transitional responsibilities that would be required in the event of CCP failure. Without a certain level of internal expertise and technical competence, CCAs are woefully disadvantaged in such a situation. The fully outsourced business model unfortunately exacerbates this risk.

- Disproportionate allocation of financial benefits and lack of transparency: One of the most intriguing prospects of CCA formation is the ability of a CCA to generate customer savings and/or operating surpluses, which can be directed towards the development of locally focused energy programs or projects as well as other needs of the participating community/communities. Currently, MCE and SCP both offer customer rate savings while having accrued significant financial reserves. Over time, it is expected that the City of Lancaster will fare similarly. Under these examples, the CCA's participating customers and the communities in which the CCA offers electric service will be the primary beneficiaries of this financial success – there is no sharing of financial benefits with investors, shareholders or other third parties. Under the CCP business model, it appears as though CCP is passing through a disproportionately small benefit to the CCA while keeping for itself the lion's share of surpluses generated through CCA operations. PEA completed an independent, high-level financial analysis to demonstrate the potential inequities embodied in this business model, which are summarized in the table below.

| **2015 Community Choice Profit Margin Worksheet** | | |
|---|---|---|
| **Community Inputs** | | |
| Community Retail Sales (MWh/Yr.) | | 350,000 |
| Renewable Energy Content (%) | | 33% |
| Discount to PG&E Electric Bill (%) | | 2% |
| Community Payment ($/Yr.) | $ | 2,000,000 |
| **Revenues and Profits** | | |
| Revenue @ PG&E Generation Rate ($/Yr.) | $ | 33,803,000 |
| Less CCA Surcharges ($/Yr.) | $ | (3,570,000) |
| Less Discount ($/Yr.) | $ | (1,202,320) |
| Less Community Payment ($/Yr.) | $ | (2,000,000) |
| Less Power Supply Costs ($/Yr.) | $ | (19,376,000) |
| **Gross Profit Available to Operator ($/Yr.)** | **$** | **7,654,680** |

The structure of this analysis is quite simple but reasonably represents the expected surpluses that could be generated given current market pricing by a relatively small CCA enterprise similar to Lake County (serving annual customer energy requirements of 350,000 MWh/year; by comparison, the annual energy requirements of MCE are expected to be approximately 1,800,000 MWh, roughly five times the aforementioned volume).[5] PEA's analysis assumes, for the sake of simplicity, that this hypothetical CCA enterprise generally represents the customer composition and usage characteristics observed throughout PG&E's entire service territory. Based on this assumption, PEA applied PG&E's system average generation rate as the utility proxy against which CCA rate savings would be evaluated under the CCP services agreement. PEA also assumed that 33 percent of the CCA's total anticipated retail electricity sales would be sourced from Bucket 1-eligible renewable energy products; an appropriate cost premium, based on recently observed wholesale renewable energy transactions. PEA's financial analysis also accounts for other operational expenses such as scheduling fees, electric grid operator costs, and energy losses resulting from the transportation of electricity on the grid.

The results of this prospective scenario are staggering, suggesting that the hypothetical CCA enterprise would forgo more than $7.6 million in additional benefits, as represented by gross profits, under the CCP business model. As specified in CCP's services agreement, the CCA would receive $2 million per year in the form of a "Public Benefit Payment," but CCP would retain more than $7.6 million in gross profits. Admittedly, CCP would reasonably require a certain portion of this amount to cover its staffing, overhead, collateral requirements and other operating expenses, but the anticipated net profits still appear to be much higher than the Public Benefit Payment issued to the CCA.6 In effect, this scenario appears to demonstrate that under the CCP business model, near-term financial surpluses generated by CCA formation disproportionately benefit CCP as opposed to CCA customers or the participating community.

In substantial part, this analytical exercise highlights the lack of transparency associated with CCP finances. This practice cuts across the grain of typical public processes, which tend to readily disclose information in an effort to ensure that nothing is hidden or obscured, particularly when public finances are in play. PEA recommends that any community pursuing the CCP business model request and receive detailed financial projections prior to executing any contract documents to ensure a thorough understanding of the prospective allocation of financial benefits. Following contract execution, PEA recommends that the participating CCA receive a periodic accounting of CCP operations in support of the CCA enterprise, including a detailed breakout of financial benefits accruing to CCP relative to the CCA.

CCA's are public entities and are required by law to disclose almost all information related to CCA operations. Accordingly, it is critical that local government officials and staff responsible for the CCA have all the information necessary to respond accurately to such inquiries. Due to the lack of transparency in the fully outsourced business model, the ability to respond timely and accurately is a significant risk to the CCA, especially without any checks and balances to validate any information provided by CCP. Even more concerning is that there doesn't seem to be any liability on CCP in the case that inaccurate information is provided to the CCA and subsequently released to the public. Without access to all data and information related to CCA operations, it will be difficult for the CCA to confidently provide accurate information to the public in general.

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[5] As previously noted, wholesale energy prices are subject to considerable volatility. To the extent that wholesale energy prices change, projected operating results may be materially affected.

[6] The May 2015 feasibility study prepared by CCP for Lake County (Page 26) indicates that these other expenses represent less than 10% of the total costs.

- Supplier creditworthiness: In the aforementioned memo from CCP to Lake County, CCP indicated that it "demonstrates creditworthiness with $15 million in funding to secure power purchases for up to 200,000 people." Presumably, the noted $15 million is held in the form of a letter of credit or cash collateral to enable these power purchases. However, nothing in the CCP services agreement specifically addresses this amount nor the maintenance thereof. Instead, the services agreement vaguely addresses requisite credit as follow: "At all times CCP shall maintain collateral or capitalization sufficient to ensure performance under this Agreement. The amount of collateral or capitalization deemed sufficient shall be determined using industry standard electric commodity procurement practices." Again, this vague language provides no specific metrics to assure collateral sufficiency nor any process for ensuring that CCP maintains itself as a creditworthy entity throughout the term of the agreement. If CCP were to be on the verge of bankruptcy, there doesn't appear to be any obligation for it to disclose such information nor does there appear to be any provision addressing the periodic sharing of information substantiating or evaluating CCP's financial health. This lack of credit protection for the municipality stands in stark contrast to standard power supply contract credit terms. In the event that such a situation existed, there is no performance security (posted by CCP) against which the CCA could draw nor are there specific remedies identified. If an aspiring CCA is to reasonably consider such a long-term services agreement, including the delivery of requisite energy products, clearly defined credit provisions protecting both parties are recommended.

- Rate setting: Under the CCP business model, the proposed rate setting process appears to be quite different compared to California's successfully operating CCAs. In particular, the CCP business model lacks detail about the mechanisms for consumer protections, customer disclosure, due process and general customer input during the rate setting process, all of which are fundamental features of currently operating California CCAs. According to the CCP services agreement, the rate setting process seems to be a forgone conclusion, tying directly to PG&E's annual rate changes. This approach generally renders customer input useless, as CCP's prescribed approach will result in a predetermined outcome, regardless of customer input. In addition, it is unclear to PEA how CCP will assure the equitable treatment of customer classes during the rate setting process. There also appears to be no consideration of cost of service for particular rate classes relative to retail electric rates. Finally, the forgone nature of CCP's rate setting process substantially minimizes the potential for customized economic development rates and/or other rate schedules that could be designed to attract particular customer groups, incentivize/disincentivize certain customer behaviors and/or promote the achievement of local policy objectives. CCP's rate setting process also ignores the importance and value in rate stability, which is currently provided through the annual rate setting process of California's three operational CCA's.

- Durability of rate savings commitment: In practical terms, it is impossible to know what PG&E's rates may be next year, let alone five or ten years from now. Even if CCP were to secure long-term, low-cost supply commitments from viable sources, inevitable uncertainties regarding PG&E's future generation rates and related exit fees make the prospect of honoring CCP's stated rate savings commitment highly speculative, particularly over a ten-year contract term. In fact, the duration of the CCP rate savings commitment heightens the risk of contract default (with regard to the rate savings commitment) or an eventual attempt to pass through costs to CCA customers.

- Economic development and job creation: Under the fully outsourced business model, there are no incentives to promote the development of innovative, locally focused energy projects and

programs, which have been a huge success for California's existing CCA's. The ability to invest and build within a CCA's actual jurisdictional footprint also leads to the creation of jobs and general economic development. Furthermore, adopting the fully outsourced business model eliminates the addition of long-term jobs in order to internally administer the CCA program. As MCE, SCP, and LCE continue to grow in size, adding new product and program offerings, permanent, long-term jobs become necessary and are created in turn. The fully outsourced model inevitably reduces local input and control over resource decisions and energy programs.

- Lack of complimentary energy program administration: Under the CCP business model, certain activities associated with the ongoing administration of complimentary programs, such as energy efficiency, demand response and feed-in tariffs, seem to require additional staff/consultants, as the ongoing administration of such programs does not appear to be addressed in CCP's anticipated scope of service. Further, no revenues would be available to support these programs apart from the public benefit payment made by CCP, since all customer revenues would be assigned to CCP. As clarified in the aforementioned memo from CCP to Lake County, CCP appears to be willing to provide no-cost support in developing various complimentary energy programs that may be of interest to the participating CCA. However, the CCA is independently responsible for the ongoing administration of such programs, including staff and related costs. In light of the relatively modest revenue sharing that is being offered by CCP, participating communities may find it challenging to cover such administrative costs over time.

  General observations related to the CCP services agreement: Based on PEA's review, much of the language included in CCP's proposed services agreement, particularly language describing CCP's obligations and commitments, is vague and lacking sufficient detail to fully understand and/or verify the commitments being made by CCP. Typical agreements addressing the relatively complex relationship between CCAs and suppliers/service providers are lengthier as well as more detailed and carefully worded to minimize the potential for misunderstanding and misinterpretation between the parties. Examples of areas within the CCP contract that could be further developed in an effort to improve clarity include: CCP's rates savings commitment; the commitment to local renewable utilization; and the scope of the change in law provision. As to the change in law provision, the contract should address changes in: utility rates and departing load charges, RPS and resource adequacy requirements, storage obligations, integration costs, congestion costs, and bond requirements.

## Conclusion

CCA formation is not without risk. Regardless of the chosen implementation approach, there will be inevitable uncertainties. How many customers will opt-out? What will PG&E's rates be next year? What price will I pay for wholesale energy after my current contracts expire? What proportion of my supply portfolio should I secure under fixed-price contract arrangements? These questions, as well as many others, are involved with the process of CCA evaluation, implementation and operation. California communities can minimize the variables surrounding the CCA service model by employing proven practices and experienced teams. In particular, the recent successes of MCE, SCP and LCE are the result of a common formula that relies on California's most experienced service providers, minimizing risk while maximizing potential rate savings and community benefits.

New implementation strategies, such as the fully outsourced business model promoted by CCP, should be carefully evaluated to ensure that risks and benefits are fully understood. Based on information provided to date, PEA's assessment indicates that the risks associated with such an approach

substantially outweigh prospective benefits. In particular, CCP's approach all but removes the elements of transparency, community involvement and local accountability that are fundamental features of the CCA business model. Further, the municipality would be insufficiently protected from risks associated with non-performance by CCP. In many ways, the fully outsourced business model retains elements of the investor-owned utility business model in which the customer has limited operational insight, limited influence with regard to rate setting and limited access to the individuals who are directly involved in day-to-day utility operations and decision making. Certain benefits are conferred to the customer by CCP, but the benefits are disproportionately shared. Ultimately, many communities will fare far better, minimizing risk while maximizing benefits, under the proven implementation approach that balances the development of internal technical competencies with strategic support from experienced service providers. Such an approach preserves operational flexibility and transparency while promoting long-term success of the CCA enterprise.

**Sources**


- "Draft Agreement for Community Choice Aggregation Services between the County of Lake and California Clean Power Corporation"
- "Lake County Community Choice Program Feasibility Report", prepared by California Clean Power Corporation, May 2015
- County of Lake, an Ordinance Authorizing the Implementation of a Community Choice Aggregation Program
- "Overview of Community Choice Aggregation and a Turnkey Contract with California Clean Power"
- Memorandum, "Request for Response to Community Choice Questions," California Clean Power Corporation to County of Lake

Handout B5

# Water Restrictions Update

Menlo Park EQC June 24, 2015

# Water restrictions

## Statewide

- 25% aggregate statewide reduction compared to 2013

## Local

- MPMWD 16% (achieved)
- Cal Water 36%
- O'Connor  Track 16%
- PA Park Muni 16%

# All of Menlo Park

- Potable water to irrigate outdoor ornamental landscapes or turf shall be limited to the following two days per week schedule:
  - ODD addresses / No address - Mondays and Thursdays
  - EVEN addresses – Tuesdays and Fridays
- No watering allowed between 8:00 am – 6:00 pm.
- Water customers may be granted an exception to the two days per week schedule upon review and approval of a Drought Response Plan that demonstrates an equivalent or greater reduction in water use.
- Irrigation of outdoor ornamental landscapes or turf is not allowed between 8:00 am - 6:00 pm.
- Must not use potable water on outdoor landscapes that causes runoff.
- Hoses must be fitted with an automatic shutoff nozzle for washing vehicles, sidewalks, driveways, walkways, or buildings.
- Must not apply potable water to any driveway or sidewalk except to address immediate health or safety concerns.
- Pools, spas, and hot tubs shall be covered when not in use.
- Cannot use potable water in a decorative feature, unless the water recirculates.

# All of Menlo Park

- Must repair defective/broken plumbing and irrigation systems within a reasonable time period
- Potable water shall not be used to water outdoor landscapes during and within 48 hours after measurable rainfall.
- Restaurants must serve water only upon request.
- Hotels and motels shall provide guests an option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.
- Single-pass cooling systems on new construction shall not be allowed.
- Permits for construction of new pools shall include a requirement that MPMWD water shall not be used to fill new pools.
- Newly constructed homes and buildings must deliver potable water through drip or micro-spray systems to water outside.
- Potable water shall not be used to irrigate ornamental turf on public street medians.


## Legend

- EV — Electric Vehicle Charging Station- Buildings E, F, + G; See Building Plans
- AC Condenser with wood screen See Landscape Drawings for planting to screen from view
- AC Condenser without wood screen at private backyard
- Transformer; See Civil Drawings See Landscape Drawings for planting to screen from view
- Guest Bike Parking; See Landscape Drawings

NOTE: Refer to C2.0 Proposed Site Plan for all dimensions to easements, setbacks, and property line.

1" = 20'-0" (0, 10, 20, 40)

# 133 ENCINAL AVENUE

**Hunter Properties Inc.**
10121 Miller Avenue, Suite 200
Cupertino, CA 95014
408.255.4100

# CONCEPTUAL SITE PLAN

MENLO PARK, CA

KTGY # 2014-0032 09.25.2015

A1.0

**KTGY Group, Inc.**
**Architecture+Planning**
580 Second St., Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com


## LANDSCAPE & WATER EFFICIENCY DESIGN INTENT STATEMENT

THE LANDSCAPE DESIGN INCORPORATES PRINCIPLES INCLUDED IN THE "BAY FRIENDLY LANDSCAPE GUIDELINES" & WILL COMPLY WITH THE CITY OF MENLO PARK'S DESIGN GUIDELINES & MUNICIPAL CODE.

PLANTS ARE GROUPED BY HYDROZONE, EXPOSURE & LOCAL CLIMATIC CONDITIONS. THE PLANTING DESIGN ALLOWS FOR THE PLANTS TO REACH THEIR NATURAL, FULL-GROWN SIZE AND ELIMINATES THE NEED FOR EXCESSIVE PRUNING OR HEDGING.

SELECTED TREES HAVE BEEN CHOSEN TO PROVIDE A VARIATION OF HEIGHTS, WIDTHS, COLORS, TEXTURES, AND CHARACTER. TREE LOCATION AND ORIENTATION HAVE BEEN DESIGNED FOR MAXIMUM AESTHETIC EFFECT AND PASSIVE SOLAR BENEFITS.

VEGETATED SWALES AND BIORETENTION TREATMENT AREAS WILL BE PLANTED WITH APPROVED WATER CONSERVING CAREX PANSA OR ALTERNATIVE GRASS SPECIES, AND PERIMETER SHRUBS THAT ARE ADAPTED TO BIO-SWALE CONDITIONS.

THE TREES, SHRUBS AND TURF PLANTING AREAS WILL BE DESIGNED FOR MAXIMUM WATER CONSERVATION. THE LANDSCAPE ESTIMATED TOTAL WATER USE WILL NOT EXCEED THE PROJECTS MAXIMUM WATER ALLOWANCE AS SPECIFIED IN THE THE STATE OF CALIFORNIA'S 2010 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE.

THE PLANTING & IRRIGATION DESIGN WILL COMPLY WITH THE STATE OF CALIFORNIA'S 2010 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE & THE CITY OF MENLO PARK'S MUNICIPAL CODE 12.44

THE PLANTS HAVE BEEN SELECTED UTILIZING THE STATE OF CALIFORNIA'S 2010 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE PLANT LIST, WUCOLS III. NO PLANTS ARE USED THAT ARE CONSIDERED INVASIVE IN THE THE REGION AS LISTED BY THE CAL-IPC.

## SF PUC RIGHT OF WAY:

GARDEN PLOTS (RAISED PLANTERS), CITRUS AND SELECTED SHRUBS AND GROUNDCOVER ARE ALLOWABLE PER THE SAN FRANCISCO PUBLIC UTILITIES COMMISSION RIGHT OF WAY REQUIREMENTS. LANDSCAPE PLANS WILL CONFORM TO SFPUC REQUIREMENTS.

## BUILD IT GREEN LANDSCAPE ITEMS:

THE LANDSCAPE DESIGN WILL INCORPORATE THE FOLLOWING "BUILD IT GREEN" ITEMS TO MAXIMIZE WATER CONSERVATION:

- NO INVASIVE PLANT SPECIES USED ON PROJECT.
- 75%+ OF PLANTS ARE WATER CONSERVING CALIFORNIA NATIVES OR MEDITERRANEAN SPECIES.
- TURF IS TALL FESCUE WITH WATER USE PLANT FACTOR OR 0.8
- TURF ARE IS LESS THAN 33% OF ENTIRE LANDSCAPED AREA.
- PLANTS ARE GROUPED BY WATER NEEDS AND EACH AREA IS IRRIGATED SEPARATELY (I.E., TURF AND SHRUB AREAS HAVE SEPARATE IRRIG. CIRCUITS).
- LOW FLOW SPRINKLER HEADS ARE USED ON PROJECT.
- 2" COMPOST ADDED INTO SOIL.
- 3" OF MULCH ADDED TO SHRUB AND GROUND COVER PLANTING AREAS.

SCALE: 1" = 20'-0"

0 10 20 40

# 133 ENCINAL AVENUE

# CONCEPTUAL LANDSCAPE PLAN

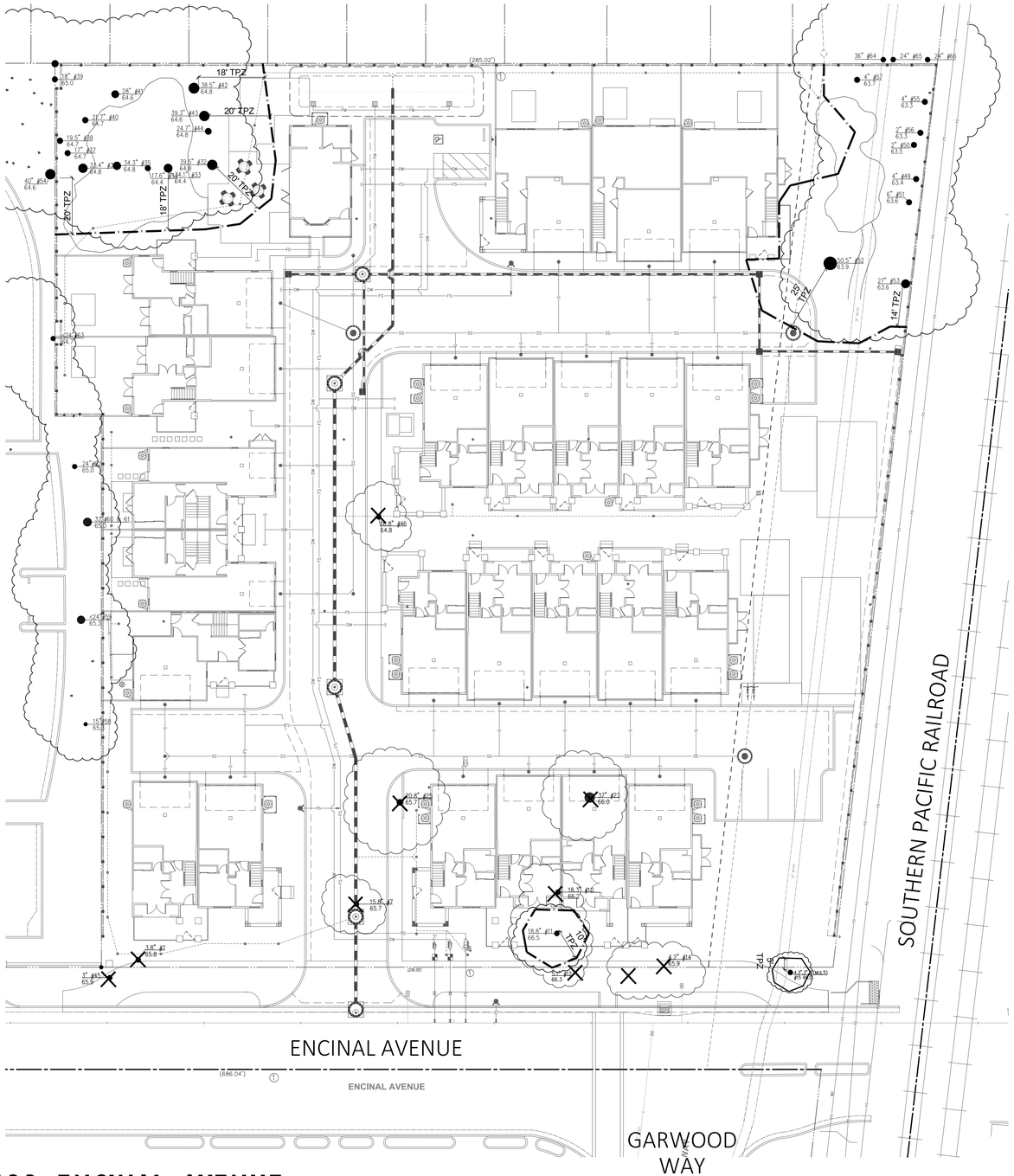
MENLO PARK, CA

VALA # 1416 9.25.2015

LI.0

**Hunter Properties Inc.**
10121 Miller Avenue, Suite 200
Cupertino, CA 95014
408.255.4100

VAN DORN ABED
LANDSCAPE ARCHITECTS, INC.
81 14TH STREET, SAN FRANCISCO, CA
ZIP 94103 PH (415) 864-1921 FAX (415) 864-4796




## EXISTING TREE CHART

| TREE NO. | TREE TYPE | CONDITION | DISPOSTION | TPZ SIZE | DIA./HT./SPREAD |
|---|---|---|---|---|---|
| 2 | JAPANESE MAPLE | FAIR | TO BE REMOVED | 2' | 3.8"/5'/6' |
| 7 | COAST REDWOOD | FAIR-GOOD | TO BE REMOVED | - | 15.8"/25'/12' |
| 10 | INCENSE CEDAR | FAIR/ PROTECTED | TO BE REMOVED | - | 18.3"/34'/18' |
| 11 | INCENSE CEDAR | FAIR | PRESERVE | 10 FEET | 18.8"/40'/22' |
| 12 | CRAB APPLE | FAIR | TO BE REMOVED | - | 5.1"/7'/12' |
| 13 | BIRCH | POOR-FAIR | TO BE REMOVED | - | 10.5"/16'/12' |
| 14 | TEA TREE | POOR-FAIR | TO BE REMOVED | - | 4.2"/9'/10' |
| 15 | CRAPE MYRTLE | GOOD/PROTECTED | PRESERVE | 5' | 8.8" |
| 23 | COAST REDWOOD | FAIR/PROTECTED | TO BE REMOVED | - | 37"/85'/25' |
| 25 | JAPANESE MAPLE | POOR-FAIR/ PROTECTED | TO BE REMOVED | - | 20.8"/15'/22' |
| 32 | COAST REDWOOD | FAIR | PRESERVE | 20 FEET | 39.5"/90'/22' |
| 33 | COAST REDWOOD | POOR-FAIR | PRESERVE | 18 FEET | 34.1"/70'/20' |
| 34 | COAST REDWOOD | FAIR | PRESERVE | 10 FEET | 17.6"/75'/16' |
| 35 | COAST REDWOOD | FAIR-GOOD | PRESERVE | 18 FEET | 34.3"/95'/18' |
| 36 | COAST REDWOOD | POOR-FAIR | PRESERVE | 18 FEET | 33.4"/90'/22' |
| 37 | COAST REDWOOD | FAIR | PRESERVE | 10 FEET | 17"/70'/14' |
| 38 | COAST REDWOOD | POOR-FAIR | PRESERVE | 10 FEET | 19.5"/85'/15' |
| 39 | COAST REDWOOD | POOR-FAIR | PRESERVE | 10 FEET | 18"/75'/16' |
| 40 | COAST REDWOOD | POOR-FAIR | PRESERVE | 11 FEET | 21.7"/80'/16' |
| 41 | COAST REDWOOD | FAIR-GOOD | PRESERVE | 14 FEET | 28"/85'/26' |
| 42 | COAST REDWOOD | FAIR | PRESERVE | 18 FEET | 35.5"/85'/30' |
| 43 | COAST REDWOOD | FAIR-GOOD | PRESERVE | 20 FEET | 39.3"/85'/34' |
| 44 | COAST REDWOOD | FAIR | PRESERVE | 13 FEET | 24.7"/75'/18' |
| 45 | JAPANESE MAPLE | FAIR-GOOD | TO BE REMOVED | - | 3"/12'/6' |
| 46 | COAST REDWOOD | FAIR/PROTECTED | TO BE REMOVED | - | 16.8"/35'/10' |
| 52 | COAST LIVE OAK | FAIR | PRESERVE | 25 FEET | 50.5"/55'/50' |
| 53 | COAST LIVE OAK | FAIR | PRESERVE | 14 FEET | 27"/35'/38' |
| 54 | COAST REDWOOD | FAIR | PRESERVE | 20 FEET | 40"/80'/22' |
| 58 | COAST LIVE OAK | | PRESERVE | 12 FEET | EST 15" |
| 59 | SYCAMORE | | PRESERVE | 12 FEET | EST <24" |
| 60 & 61 | COAST LIVE OAK | | PRESERVE | 12 FEET | 32" |
| 62 | COAST LIVE OAK | | PRESERVE | 12 FEET | EST <24" |
| 63 | COAST LIVE OAK | | PRESERVE | 12 FEET | EST <24" |
| 64 | COAST REDWOOD | | PRESERVE | 18 FEET | EST 36" |
| 65 | MONTEREY PINE | | PRESERVE | 15 FEET | EST 24" |
| 66 | MONTEREY PINE | | PRESERVE | 15 FEET | EST 24" |

## EXISTING TREE LEGEND:

EXISTING PROTECTED/HERITAGE TREE TO REMAIN, TYP.

EXISTING NON-PROTECTED TREE TO REMAIN, TYP.

EXISTING PROTECTED/HERTIAGE TREE TO BE REMOVED, TYP.

TREE PROTECTION FENCE (TPZ)

## EXISTING TREE NOTES:

- TOTAL NUMBER OF EXISTING PROTECTED/HERITAGE TREES ON SITE = 29
- # OF EXISTING PROTECTED/HERITAGE TREES PROPOSED FOR REMOVAL = 5

MITIGATION:

- NUMBER OF 15 GAL. MIN. REPLACEMENT TREES REQUIRED: 10

TREE DISPOSITION PLAN IS BASED ON ARBORIST REPORT DATED SEPTEMBER, 2015 CONTRACTOR TO FOLLOW TREE PROTECTION GUIDELINES AND TPZ FENCING PER ARBORIST REPORT AND ALL CITY REQUIREMENTS.

SCALE: 1" = 20'-0"

0 10 20 40

# 133 ENCINAL AVENUE

**Hunter Properties Inc.**
10121 Miller Avenue, Suite 200
Cupertino, CA 95014
408.255.4100

# EXISTING TREE DISPOSITION PLAN

MENLO PARK, CA

VALA # 1416 9.25.2015

# L4.0

VAN DORN ABED
LANDSCAPE ARCHITECTS, INC.
81 14TH STREET, SAN FRANCISCO, CA
ZIP 94103 PH (415) 864-1921 FAX (415) 864-4796

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ATTACHMENT D

# ARBORIST REPORT

Submitted To:

**Hunter Properties, Inc.**
**Attention: Mr. Sachneel Patel**
**10121 Miller Avenue #200**
**Cupertino, CA 95014**

Project Location:

**133 Encinal Avenue**
**Menlo Park, CA**

Submitted By:
**McCLENAHAN CONSULTING, LLC**
**John H. McClenahan**
**ISA Board Certified Master Arborist, WE-1476B**
**member, American Society of Consulting Arborists**
**July 6, 2015**

McClenahan Consulting, LLC
Arboriculturists Since 1911
1 Arastradero Road, Portola Valley, CA 94028-8012
Telephone (650) 326-8781
Fax (650) 854-1267
www.spmcclenahan.com

July 6, 2015

**Hunter Properties, Inc.**
Attention: **Mr. Sachneel Patel**
10121 Miller Avenue #200
Cupertino, CA 95014

RE **133 Encinal Avenue**
**Menlo Park, CA**

## Assignment

As requested, I performed a visual inspection of 37 trees protected by city ordinance to determine species, size, condition, disposition and impacts from construction. In addition, *Tree Protection Zones* have been assigned to neighboring trees within 10-feet of property line. Please be advised this report has been updated from our previously submitted report of June 6, 2014 and April 3, 2015.

## Summary

Trees in this report correspond to the numbers shown on the topographic survey. Proposed site development will require removal of three small city street trees (12, 14 and 45) and five city protected trees (10, 15, 23, 25 and 46) on site. Further review of plans may be necessary to determine if additional small right of way trees will require removal. Current plans show the grove of redwoods at the left rear corner and cluster of live oaks at right rear corner as remaining. Tree protection fencing should surround each grouping of trees. This fencing will adequately protect the neighboring trees at the right rear corner. Fencing should also be installed to protect neighboring oaks, etc. at the 1600 El Camino fence line.

- Any grading or excavation within *Tree Protection Zones (TPZ's)* must be accomplished by hand digging.
- A qualified arborist must supervise any cutting of roots greater than one inch diameter.
- Mitigation is required for root cutting inside the *TPZ*.

## Methodology

No root crown exploration, climbing or plant tissue analysis was performed as part of this survey.

In determining Tree Condition several factors have been considered which include:

Rate of growth over several seasons;
Structural decays or weaknesses;
Presence of disease or insects; and
Life expectancy.

**Tree Description/Observation**

**2 Japanese maple** *(Acer palmatum 'dissectum')*
**Diameter:** 3.8"
**Height:** 5' **Spread:** 6'
**Condition:** Fair
**Location:** Street tree
**Observation:** Surface rooting observed. The *TPZ is 6-feet.* Proposed sidewalk should be at least 2-feet from the tree.

**7 Coast redwood** *(Sequoia sempervirens)*
**Diameter:** 15.8"
**Height:** 25' **Spread:** 12'
**Condition:** Fair to Good
**Location:** Front parking lot
**Observation:** Planter box and asphalt parking lot create a poor root environment. The *TPZ is 8-feet.*

**10 Incense cedar** *(Calocedrus decurrens)*
**Diameter:** 18.3"
**Height:** 34' **Spread:** 18'
**Condition:** Fair
**Location:** Front parking strip
**Observation:** Crown appears water stressed with a moderate accumulation of deadwood. Poor root environment. Proposed for removal.

**11 Incense cedar**
**Diameter:** 18.8"
**Height:** 40' **Spread:** 22'
**Condition:** Fair
**Location:** Front parking strip
**Observation:** Crown appears water stressed with a moderate accumulation of deadwood. Poor root environment. The *TPZ is 10-feet.* Although Building A will encroach within the *TPZ*, the existing asphalt is 4 feet to the northwest, 3-feet to the west and 1-foot to the northeast. The new design will remove the asphalt at least 6-feet to the northwest, at least 4-feet on the sides. The new area will allow for root management mitigation such as biostimulants, mycorrhizae and other microbes that improve root growth and function.

**12 Weeping crabapple** *(Malus floribunda)*
**Diameter:** 5.1"
**Height:** 7' **Spread:** 12'
**Condition:** Fair
**Location:** Street tree
**Observation:** Surface rooting observed. Proposed for removal.

**13 White birch** *(Betula jaquemontii)*
**Diameter:** 10.5" Low Branching
**Height:** 16' **Spread:** 12'
**Condition:** Poor to Fair
**Location:** Street tree
**Observation:** Lacks vigor, water stressed.

**14 New Zealand tea tree** *(Leptospermum scoparium)*
**Diameter:** 4.2"
**Height:** 9' **Spread:** 10'
**Condition:** Poor to Fair
**Location:** Street tree
**Observation:** Lacks vigor, water stressed. Proposed for removal.

**15 Crape myrtle** *(Lagerstroemia indica)*
**Diameter:** 8.8" at the base, Multi trunk
**Height:** 12' **Spread:** 16'
**Condition:** Good
**Location:** Street tree
**Observation:** Minor interior deadwood. The TPZ is 6-feet. Proposed sidewalk should be 5-feet from the trunk.

**23 Coast redwood**
**Diameter:** 37.0"
**Height:** 85' **Spread:** 25'
**Condition:** Fair
**Location:** Adjacent to building
**Observation:** Exisitng roof overhang is constructed around tree. Very poor root environment, concrete surrounds root flare. The TPZ is 19-feet. Construction activity within the TPZ must be monitored to assess actual impact to tree health.

**25 Japanese maple** *(Acer palmatum)*
**Diameter:** 20.8" Multi trunk
**Height:** 15' **Spread:** 22'
**Condition:** Poor to Fair
**Location:** Front of carriage house
**Observation:** Dieback of upper crown observed. Poor structure. Limited root environment. The TPZ is 11-feet. Proposed sidewalk should remain on the left side or entry road side of tree.

**32 Coast redwood**
**Diameter:** 39.5"
**Height:** 90' **Spread:** 22'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Crown is one sided from grove effect. Deadwood observed. The *TPZ is 20-feet.*

**33 Coast redwood**
**Diameter:** 34.1"
**Height:** 70' **Spread:** 20'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Dead top. Crown is one sided. The *TPZ is 18-feet.*

**34 Coast redwood**
**Diameter:** 17.6"
**Height:** 75' **Spread:** 16'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Crown is one sided from grove effect. Deadwood observed. Subdominant tree. The *TPZ is 10-feet.*

**35 Coast redwood**
**Diameter:** 34.3"
**Height:** 95' **Spread:** 18'
**Condition:** Fair to Good
**Location:** Grove left rear corner
**Observation:** Trumpet vine climbing crown. The *TPZ is 18-feet.*

**36 Coast redwood**
**Diameter:** 33.4"
**Height:** 90' **Spread:** 22'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Water stressed. Irregular curvature of stem. The *TPZ is 18-feet.*

**37 Coast redwood**
**Diameter:** 17.0"
**Height:** 70' **Spread:** 14'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Subdominant tree. The *TPZ is 10-feet.*

**38 Coast redwood**
**Diameter:** 19.5"
**Height:** 85' **Spread:** 15'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Abnormal cankers or old wounds observed at three heights from 10-35 feet on stem. The *TPZ is 10-feet.*

**39 Coast redwood**
**Diameter:** 18"
**Height:** 75' **Spread:** 16'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Subdominant tree. Low vigor. Neighbor's tree. The *TPZ is 10-feet.*

**40 Coast redwood**
**Diameter:** 21.7"
**Height:** 80' **Spread:** 16'
**Condition:** Poor to Fair
**Location:** Grove left rear corner
**Observation:** Subdominant tree. Low vigor and branch dieback observed. The *TPZ is 11-feet.*

**41 Coast redwood**
**Diameter:** 28.0"
**Height:** 85' **Spread:** 26'
**Condition:** Fair to Good
**Location:** Grove left rear corner
**Observation:** Lower crown is one sided. The *TPZ is 14-feet.*

**42 Coast redwood**
**Diameter:** 35.5" Low Branching
**Height:** 85' **Spread:** 30'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Crown is one sided from grove effect. Deadwood observed. Codominant leaders at 3-feet. Recommend cable support. The *TPZ is 18-feet.*

**43 Coast redwood**
**Diameter:** 39.3"
**Height:** 85' **Spread:** 34'
**Condition:** Fair to Good
**Location:** Grove left rear corner
**Observation:** Lower crown is one sided from grove effect. Deadwood observed. The *TPZ is 20-feet.*

**44 Coast redwood**
**Diameter:** 24.7"
**Height:** 75' **Spread:** 18'
**Condition:** Fair
**Location:** Grove left rear corner
**Observation:** Crown is one sided from grove effect. Deadwood observed. The *TPZ is 13-feet.*

**45 Japanese maple**
**Diameter:** 3.0"
**Height:** 12' **Spread:** 6'
**Condition:** Fair to Good
**Location:** Street tree
**Observation:** Young establishing tree. The *TPZ is 5-feet.*

**46 Coast redwood**
**Diameter:** 16.8"
**Height:** 35' **Spread:** 10'
**Condition:** Fair
**Location:** Asphalt area behind carriage house
**Observation:** Appears water stressed. Irregular curvature of stem. Proposed for removal.

**52 Coast live oak** *(Quercus agrifolia)*
**Diameter:** 50.5"
**Height:** 55' **Spread:** 50'
**Condition:** Fair
**Location:** Right side setback
**Observation:** Crown exhibits a moderate accumulation of deadwood. Large old pruning wounds exhibit decay. Grows to an exaggerated southwest lean. The *TPZ is 25-feet.* The building and driveway encroachment into the *TPZ* will potentially impact up to 35 percent of the root area. Most of the work will occur on the compression and side of the tree at a distance greater than 9-feet from the tree from the porch and 13-feet from the foundation of Building D. At this distance oblique roots and sinker roots should remain intact. Arborist monitoring during grading and excavation is recommended. Raising of the crown will be required for the construction of Building D.

**53 Coast live oak**
**Diameter:** 27.0"
**Height:** 35' **Spread:** 38'
**Condition:** Fair
**Location:** Right side fence
**Observation:** Crown exhibits a moderate accumulation of deadwood. Previous crown reduction pruning has occurred. Leans toward street. Fruiting body from *Ganoderma applanatum* observed on compression side of lean. The *TPZ is 14-feet.*

**54 Coast redwood**
**Diameter:** 40"
**Height:** 80' **Spread:** 22'
**Condition:** Fair
**Location:** Grove at left rear Neighbor tree
**Observation:** Crown is one sided. Irregular curvature of stem. The *TPZ is 20-feet.*

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64 **Coast redwood**
**Diameter:** Est 36"
**Height:** **Spread:**
**Location:** Neighbors tree right rear corner
**Observation:** The *TPZ is 18-feet.*

65 **Monterey pine** *(Pinus radiata)*
**Diameter:** Est 24"
**Location:** Neighbors tree right rear corner
**Observation:** The *TPZ is 15-feet.*

66 **Monterey pine**
**Diameter:** Est 24"
**Location:** Neighbors tree right rear corner
**Observation:** The *TPZ is 15-feet*. Significant crown dieback.

58 **Coast live oak**
**Diameter:** Est 15”
**Location:** Neighbor's at1600 El Camino
**Observation:** The TPZ is 12-feet.

59 **Sycamore** *(Platanus x acerifolia)*
**Diameter:** Est <24”
**Location:** Neighbor's at1600 El Camino
**Observation:** *TPZ is 12-feet.*

60 & 61 **Coast live oak**
**Diameter:** 32.0”, multi trunk (previously described as 2 trees)
**Location:** Neighbor's at1600 El Camino
**Observation:** *TPZ is 12-feet.*

62 **Coast live oak**
**Diameter:** Est <24”, bifurcation at 4-1/2 feet
**Location:** Neighbor's at1600 El Camino

**Observation:** *TPZ is 12-feet.*



63 **Coast live oak**
**Diameter:** Est <24", leaning toward 1600 El Camino
**Location:** Neighbor's at1600 El Camino
**Observation:** *TPZ is 12-feet.*

## TREE PRESERVATION GUIDELINES

**Tree Preservation and Protection Plan**
In providing recommendations for tree preservation, we recognize that injury to trees as a result of construction include mechanical injuries to trunks, roots and branches, and injury as a result of changes that occur in the growing environment.

To minimize these injuries, we recommend grading operations encroach no closer than six times the trunk diameter, (i.e. 30" diameter tree x 6=180" distance). At this distance, buttress/anchoring roots would be preserved and minimal injury to the functional root area would be anticipated. Should encroachment within the area become necessary, hand digging is ***mandatory.***

**Barricades**
Prior to initiation of construction activity, temporary barricades should be installed around all trees in the construction area. Six-foot high, chain link fences are to be mounted on steel posts, driven 2 feet into the ground, at no more than 10-foot spacing. The fences shall enclose the entire area under the drip line of the trees or as close to the drip line area as practical. These barricades will be placed around individual trees and/or groups of trees as the existing environment dictates.

The temporary barricades will serve to protect trunks, roots and branches from mechanical injuries, will inhibit stockpiling of construction materials or debris within the sensitive 'drip line' areas and will prevent soil compaction from increased vehicular/pedestrian traffic. No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground around the tree canopy shall not be altered. These barricades should remain in place until final inspection of the building permit, except for work specifically required in the approved plans to be done under the trees to be protected. Designated areas beyond the drip lines of any trees should be provided for construction materials and onsite parking.

**Root Pruning** (if necessary)
During and upon completion of any trenching/grading operation within a tree's drip line, should any roots greater than one inch (1") in diameter be damaged, broken or severed, root pruning to include flush cutting and sealing of exposed roots should be accomplished under the supervision of a qualified Arborist to minimize root deterioration beyond the soil line ***within twenty-four (24) hours.***

**Pruning**
Pruning of the foliar canopies to include removal of deadwood is recommended and should be initiated prior to construction operations. Such pruning will provide any necessary construction clearance, will lessen the likelihood or potential for limb breakage, reduce 'windsail' effect and provide an environment suitable for healthy and vigorous growth.

**Fertilization**
A program of fertilization by means of deep root soil injection is recommended with applications in spring and summer for those trees to be impacted by construction.

Such fertilization will serve to stimulate feeder root development, offset shock/stress as related to construction and/or environmental factors, encourage vigor, alleviate soil compaction and compensate for any encroachment of natural feeding root areas.

Inception of this fertilizing program is recommended prior to the initiation of construction activity.

**Irrigation**
A supplemental irrigation program is recommended for the non-oak trees and should be accomplished at regular three to four week intervals during the period of May 1st through October 31st. Irrigation is to be applied at or about the 'drip line' in an amount sufficient to supply approximately fifteen (15) gallons of water for each inch in trunk diameter.

Irrigation can be provided by means of a soil needle, 'soaker' or permeable hose. When using 'soaker' or permeable hoses, water is to be run at low pressure, avoiding runoff/puddling, allowing the needed moisture to penetrate the soil to feeder root depths.

**Mulch**
Mulching with wood chips (maximum depth 3") within tree environments (outer foliar perimeter) will lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.

**Inspection**
Periodic inspections by the ***Site Arborist*** are recommended during construction activities, particularly as trees are impacted by trenching/grading operations.

Inspections at approximate four (4) week intervals would be sufficient to assess and monitor the effectiveness of the Tree Preservation Plan and to provide recommendations for any additional care or treatment.



We thank you for this opportunity to be of assistance in your tree preservation concerns.

Should you have any questions, or if we may be of further assistance in these concerns, kindly contact our office at any time.

**McCLENAHAN CONSULTING, LLC**

By: **John H. McClenahan**
ISA Board Certified Master Arborist, WE-1476B
member, American Society of Consulting Arborists

JHMc: cm

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# ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like a medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, landlord-tenant matters, etc. Arborists cannot take such issues into account unless complete and accurate information is given to the arborist. The person hiring the arborist accepts full responsibility for authorizing the recommended treatment or remedial measures.

Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate all risks is to eliminate all trees.

Arborist: _____
John H. McClenahan
Date: June 19, 2015

CITY OF MENLO PARK

**REGULAR MEETING MINUTES - DRAFT**

**Date:** **8/26/2015**
**Time:** **6:30 p.m.**
**Senior Center**
**110 Terminal Ave., Menlo Park, CA 94025**

**A.** Chair Bedwell called the meeting to order at 6:54 p.m.

**B. Roll Call**

Present: Barnes, Chair Bedwell, DeCardy, Kuntz-Duriseti, Marshall, Vice Chair Martin, Smolke
Staff: Environmental Services Manager Heather Abrams, Environmental Services Specialist Sheena Ignacio, Environmental Services Specialist Vanessa Marcadejas

**C. Public Comment**

- Doug Devine expressed concern regarding the effects of the excavation at 1020 Hermosa Way on the property's two (2) Coastal Redwood heritage trees
- Nancy Devine spoke on accountability in regards to the Heritage Tree Ordinance
- Susan Schendel expressed that homeowners should be responsible for upholding the Heritage Tree Ordinance
- Sherman Eaton shared possible remedies for heritage trees that are removed or dead

Vice Chair Martin arrived at 6:58 p.m.

A consensus was reached by all the EQC commissioners to hold a Special Meeting to discuss the Heritage Trees at 1020 Hermosa Way.

Commissioner Barnes arrived at 7:39 p.m.

D. Regular Business

Chair moved items B3 and B2 before item B1.

D1. Discuss and Adopt Criteria for Evaluation of Community Choice Energy (CCE) Options - *30 mins*

Public Comment

- Jan Butts congratulated the EQC (Environmental Quality Commission) on the criteria and spoke in favor of a joint powers authority versus a for-profit CCE administrator.

**ACTION:** Motion and second (Martin/DeCardy) to approve criteria and objectives for evaluating CCE options, passes (7-0-0).

D2. Informational Presentation on Peninsula Clean Energy by Jim Eggemeyer, Director of Sustainability, County of San Mateo – (Attachment) - *30 mins*

**ACTION:** Jim Eggemeyer provided the commission with an informative presentation. No formal action was taken.

D3. Discuss and Potentially Make Recommendations to the General Plan Advisory Committee (GPAC) to Incorporate Sustainability Goals into the General Plan - *30 mins*

**ACTION:** Commissioner Kuntz-Duriseti provided the commissioners with a GPAC update. EQC members discussed inviting City Council Member Mueller to next meeting to discuss environmental items of importance in the General Plan process. No formal action was taken.

Chair moved items B4 after B7.

D4. Discuss EQC 2-Year Work Plan and Subcommittee Assignments, and Possibly Reassign Subcommittee Members – *30 mins*

**ACTION:** Motion and second (Bedwell/Marshall) to approve moving item B4 to September EQC meeting, passes (7-0-0)

Commissioners Kuntz-Duriseti and DeCardy left the meeting at 9:45 p.m.

D5. Annual Greenhouse Gas (GHG) Emissions Inventory and Climate Action Plan (CAP) update – (Attachment) - *30 mins*

**ACTION:** EQC members expressed support for this informational item and having staff present it to City Council. No formal action was taken.

D6. Receive Update on the CA State Draft Model Water Efficient Landscaping Ordinance (MWELO) – (Attachment) – *15* mins

**ACTION:** Staff provided the Commission with an informative presentation. No formal action was taken.

D7. Approve June 24, 2015 Minutes – (Attachment) – *2 mins*

**ACTION:** Motion and second (Bedwell/Martin) to approve minutes with edits, passes (5-0-2), (Abstain: DeCardy, Marshall)

**E. Reports and Announcements**

E1. Staff Update on Environmental Policies to be considered by City Council – *5 mins*

E2. Commission Subcommittee Reports and Announcements – *2 mins*

E3. Discuss Future Agenda Items – *5 mins*

**F. Adjournment** at 10:30 p.m.

Meeting minutes prepared by S. Ignacio, Environmental Services Specialist

CITY OF MENLO PARK

## STAFF REPORT

**Environmental Quality Commission**
**Meeting Date:** **9/30/2015**
**Staff Report Number:** **15-006-EQC**

**Regular Business:** **Discuss and Possibly Change EQC Meeting Dates for 2015**

### Recommendation

Staff recommends reviewing and confirming the EQC meeting date for October, and changing meeting dates for November and December 2015.

### Policy Issues

The EQC regularly meets on the fourth Wednesday of each month. A City commission my change the date of one of its regular meetings by holding a vote at a public meeting in which a quorum is physically present. Absent a vote, a meeting may be canceled for the following reasons: A) lack of quorum, B) lack of business, C) circumstances in which public participation may be limited by the meeting date. If the meeting is canceled for the above reasons, a special meeting may be noticed and held in order to complete the commission's regular business.

### Background

The September 23, 2015 EQC meeting was canceled (so as not to limit public participation) and a special meeting was called for September 30, 2015 to complete regular business. (A separate special meeting is planned to discuss the heritage trees at 1020 Hermosa, once the City Attorney can provide a substantive update). The EQC regular meeting dates in November and December fall on City Hall closed dates. A new list of possible "no go" dates for 2016 is being developed by the City Clerk, and staff plans to discuss the 2016 dates with the EQC early in the new year.

### Analysis

For efficiency and to provide scheduling predictability for commission members and the public who may want to attend, staff recommends reviewing and rescheduling meetings in advance.

### Impact on City Resources

There are no additional City resources required to reschedule meetings in advance. Special meetings require additional resources due to noticing and coordination requirements.

**Environmental Review**

An Environmental Review is not required for this item.

**Public Notice**

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

**Attachments**

There are no attachments to this item.

Report prepared by:
Heather Abrams, Environmental Services Manager