

Documents submitted by UCSF for the hearing on February 8, 2023 (Note, the Board Office only accepted Exhibits C, D & F of their submission).

# EXHIBIT C

# University of California, San Francisco – Tree Replacement Plan

401 Parnassus Avenue

February 2, 2023

## I. Introduction

On December 14, 2022, the Board of Appeals ordered the parties to Appeal No. 22-079 to collaborate on a tree replacement plan with regards to Public Works Order No. 207226 and Permit No. 792615 – the permit on appeal in that matter. In response to the Board of Appeals’ order, the University of California (“UC”), San Francisco (“UCSF”) has prepared this Tree Replacement Plan (the “Plan”) in conjunction with the New Hospital at Parnassus Heights at 401 Parnassus Avenue (the “Project”). This Plan aims to equitably mitigate tree removals and other construction impacts required by the Project, notably the removal of twenty-eight (28) street trees adjacent to the Project site.

## II. Goals and Objectives

UCSF recognizes that the collective impacts of removing a mature stand of trees cannot be replicated merely by their replacement with an equivalent number of young trees. Therefore, the Plan describes a hybrid mitigation strategy that prioritizes multi-functional, community-based solutions to current challenges that will support ongoing environmental resilience for UCSF and the surrounding neighborhoods, as well as other areas of the City in greatest need of new trees. The Plan comprises:

- A. An integrated tree planting and care program.
- B. Immediate green space benefits in the Parnassus Heights neighborhood.
- C. Initiation of and investment of funds by way of in-lieu tree fee payments to DPW-BUF; and
- D. Reliance on community partners in decision-making.

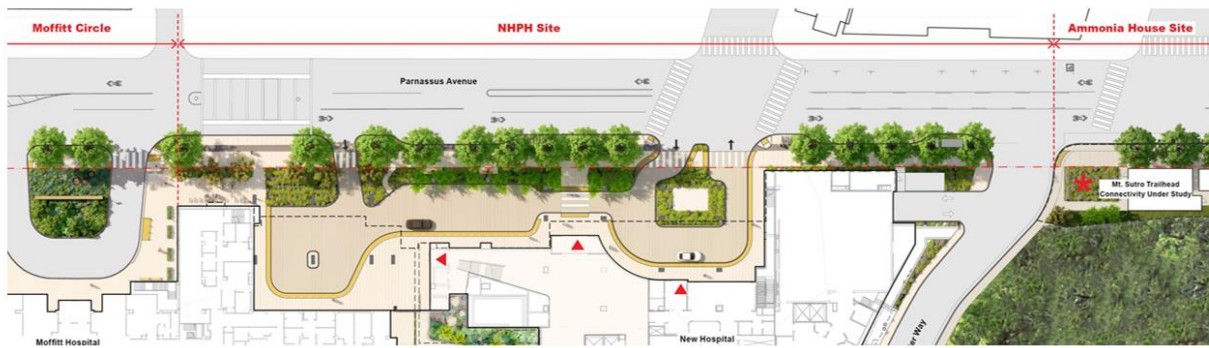
The following sections outline the implementation processes for each component of the Plan, including roles and timeframes, with the goal of contributing to greener, healthier neighborhoods.

### III. Tree Program

#### NHPH Trees

- 14 new street trees on City property (36in box)
- 42 new street trees in Neighborhood 15 gallon
- 105 new street trees (in-lieu fee payment to DPW-BUF)
- 13 new trees on UCSF property within 10ft (24in box)
- 23 trees on Level 6 All Day Eatery
- 6 trees on Level 8 courtyard

**Total: 161 street trees +  
42 project trees =  
203 new trees**



Replacement Trees	Jurisdiction	Number of Trees
Street trees along Parnassus Avenue	City	14
Street trees off-site in Parnassus Heights neighborhood	City	42
Trees adjacent to Parnassus Avenue on UCSF Property	UC	13
Level 6 All-Day Eatery at the Project	UC	23
Level 8 Wellness Garden at the Project	UC	6
	<b>Total</b>	<b>98</b>
Additional trees to be planted by the City following payment by UC of in-lieu fee of \$242,000		105
	<b>Updated Total</b>	<b>203</b>



- A. A total of fifty-six (56) new street trees will be planted to mitigate removal of the twenty-eight (28) street trees. An additional in-lieu fee payment in the amount of \$242,000 will be provided by UC to the Department of Public Works, Bureau of Urban Forestry (“DPW-BUF”) for the planting of an additional 105 street trees ( $\$242,000 \div \$2,302$  [DPW-BUF’s 2023 in-lieu fee]).
1. Along the Project’s frontage on Parnassus Avenue, at least fourteen (14) street trees will be planted. If physically possible, up to an additional 4 trees will be planted if the site allows.
    - (a) Site Selection: UCSF and DPW-BUF.
    - (b) Species Selection: UCSF, chosen from DPW-BUF’s Recommended Street Trees list.
    - (c) Tree Size: 36” box trees.
    - (d) Tree Planting: UCSF.
    - (e) Timeframe: At completion of Project construction, anticipated 2030.
    - (f) Funding: UCSF.
  2. At least 42 trees will be planted in the Parnassus Heights community at locations selected through a community survey and RFP process.
    - (a) Site Selection: Community members through a survey have ranked a green connection to the Inner Sunset (Westbound Parnassus Avenue / Judah and/or Irving) as the preferred location for new street trees, in coordination with DPW-BUF.
    - (b) Species Selection: UCSF in consultation with community organization selected pursuant to the RFP process, chosen from DPW-BUF’s Recommended Street Trees list.
    - (c) Tree Size: minimum 15-gallon.
    - (d) Tree Planting: Community organization chosen pursuant to the RFP process.
    - (e) Timeframe: Anticipated start date May 1, 2023.
    - (f) Funding: UCSF.

B. Maintenance of Newly Planted Trees. UCSF will implement an effective watering and maintenance regime for newly planted trees to establish and increase long-term viability.<sup>1</sup>

1. Responsible Party:

- (a) For the 14 or more street trees along Parnassus Avenue, UCSF.
- (b) For the 42 street trees in the Parnassus Heights neighborhood, the community organization as chosen through the RFP process.

2. Timeframe: For thirty-six (36) months from planting.

3. Funding:

- (a) For the 14 or more street trees along Parnassus Avenue, UCSF.
- (b) For the 42 street trees in the Parnassus Heights neighborhood, UCSF.

C. Lost Trees Replacement. In the event of loss of any trees planted pursuant to this Plan, comparable replacement tree(s) will be planted.

1. Responsible Party:

- (a) For the 14 or more street trees along Parnassus Avenue, UCSF.
- (b) For the 42 street trees in the Parnassus Heights neighborhood, the community organization as chosen through the RFP process.

2. Timeframe: For thirty-six (36) months from planting.

3. Funding:

- (a) For the 14 or more street trees along Parnassus Avenue, UCSF.
- (b) For the 42 street trees in the Parnassus Heights neighborhood, UCSF.

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<sup>1</sup> Any trees planted in the public right-of-way along Parnassus Avenue or at large in the community will eventually become the maintenance responsibility of DPW. DPW will visit the sites after three years and document the conditions of the street trees prior to accepting them for maintenance. Any trees that do not properly establish will need to be replanted as soon as possible, and a new three year maintenance/establishment period will start over.

# EXHIBIT D



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Request for Proposal  
**003028-Jan2023**  
**Greening Parnassus  
Heights – Tree Planting  
Project**

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Greening Parnassus  
Heights – Tree Planting  
Project

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Supply Chain Management

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**PROPOSAL SUBMISSION DEADLINE:**  
Friday, February 10, 2023, 5:00 P.M. PST

- 1.0 INTRODUCTION**
- 2.0 ISSUING OFFICE**
- 3.0 WRITTEN QUESTIONS for CLARIFICATION**
- 4.0 PROPOSAL EVALUATION AND SELECTION CRITERIA**
- 5.0 BACKGROUND INFORMATION**
- 6.0 SCOPE OF WORK**
- 7.0 TIMELINE**
- 8.0 UNIVERSITY RIGHTS**
- 9.0 BIDDER INTERVIEWS**
- 10.0 TERM OF CONTRACT**
- 11.0 PAYMENTS TERMS**
- 12.0 PROTEST OF AWARD**
- 13.0 SUSTAINABILITY**
- 14.0 INSURANCE REQUIREMENTS**
- 15.0 FAIR WAGE/FAIRWORK**
- 16.0 RFP ATTACHMENTS**
- 17.0 CONTENT OF SUBMITTAL**

## 1.0 INTRODUCTION

The Community and Government Relations department of the University of California San Francisco (UCSF) seeks a qualified organization to partner with us on our *Greening Parnassus Heights* Initiative to plant trees in the neighborhoods surrounding UCSF's Parnassus Heights campus. The selected organization will be able to demonstrate a strong ability to partner with UCSF, the City and County of San Francisco, and most importantly, the community to identify location(s) for trees, organize a community tree-planting celebration event, and maintain the trees for three years.

UCSF is deeply committed to partnering with the community to make these and other enhancements to the neighborhoods we work and live in. As part of UCSF's Comprehensive Parnassus Heights Plan (CPHP) to revitalize our flagship campus over the next thirty years, the University aspires to foster a "Park to Peak" green connection through its campus between Golden Gate Park and Mount Sutro. Through the *Greening Parnassus Heights* initiative, UCSF will plant trees along select neighborhood streets surrounding UCSF's Parnassus Heights campus.

In 2021, UCSF and the City and County of San Francisco signed a Memorandum of Understanding (MOU) associated with our plans to build a new hospital at Parnassus Heights. The MOU outlines UCSF's commitment to the vibrancy of the neighborhood. Community investments include housing, workforce development, nature and the environment, public transportation, pedestrian safety, bike improvements, and many more items. Each spring, UCSF prepares an annual report to share our progress towards meeting these commitments. The *Greening Parnassus Heights initiative* is an integral part of the MOU.

## 2.0 ISSUING OFFICE

This RFP, and any subsequent addenda to it, is issued by the UC San Francisco, Supply Chain Management, Strategic Procurement Department on behalf of the Regents of the University of California. UC San Francisco, Supply Chain Management Strategic Procurement is the sole point of contact regarding all procurement and contractual matters relating to the requirements described in this RFP. UC San Francisco, Supply Chain Management Strategic Procurement is the only office authorized to change, modify, or clarify the specifications or terms and conditions of this RFP.

Administrator:  
Yvette Shaw  
Procurement Analyst  
University of California, San Francisco  
Supply Chain Management – Strategic Procurement  
1855 Folsom Street, Suite 304 San Francisco, CA 94143  
Yvette.Shaw@ucsf.edu

The requested method for participating in this event is by discussion forum via Calusource. No Faxes or in-person delivery of any material will be accepted. Bidders will make no other distributions of their package. An official authorized to bind the submitting firm must sign the

required forms. Any Proposal received after the deadline date and time shall be eliminated from consideration, marked “too late” and returned to Sender unopened. Any changes to and the right to withdraw a Proposal will also expire at this date and time.

**3.0 WRITTEN QUESTIONS/REQUESTS FOR CLARIFICATION**

To maintain a fair and impartial competitive process, the RFP Administrator will respond only to written questions submitted within the specified timeframe (refer to “Timeline” below) via the discussion forum on Calusource. This is the only opportunity for bidders to ask questions as to form and content and to request additional information regarding the quotation.

**4.0 PROPOSAL EVALUATION AND SELECTION CRITERIA**

The Bid responses will be used to help the University to identify and select the best qualified bidder who may be awarded an agreement resulting from this RFP. The contract resulting from this RFP, if any, shall be awarded to the responsive, responsible bidder whose proposal is determined to be the most advantageous to the University. The categories, weights and descriptions are as follows in the chart below.

<b>Price</b>	Cost Value	25%
<b>Quality Business Experience</b>	Projects of a similar nature, size and complexity, resources available. 2 similar project reference and outcomes.	5%
<b>Quality Financial Stability</b>	Organization number, revenue reports, financial references, continuity plans.	2%
<b>Quality Technical Qualifications &amp; Community Relation</b>	Capabilities for the specifications in the SOW requirements. Description of full method, and process to perform the SOW. Description of method applying to community relation.	20%
<b>Quality Functional Qualifications</b>	Project Management, and staff qualification, and training to operate. Provide 3 years maintenance plan, and process management. Management method during planting of staff and/or volunteers.	8%
<b>Quality Customer Service</b>	Ability to meet the needs of the department, with collaboration with neighbors, UCSF, and BUF. Provide compiling documentation with experience.	20%
<b>Quality Sustainability &amp; Diversity</b>	questionnaire, plus provide documentation for San Francisco county training and engagement for low income, and minority.	15%
<b>Quality References</b>	UC reserves the right to check references other than those provided by the Supplier, and to ask follow up questions to clarify any responses received.	5%

**4.1 FIRM PROPOSALS**

All proposals shall be firm and fixed for one-hundred twenty (120) days following the deadline for RFP submission, or until a contract is signed whichever comes first.

## 4.2 PROPOSAL PREPARATION COSTS

All costs in the preparation and submission of proposal and related documentation, including Bidder presentations to UC (if required), shall be borne by the Bidder.

## 5.0 BACKGROUND INFORMATION



### New Hospital at Parnassus Heights

On May 19, 2022, the UC Board of Regents approved the construction of the Helen Diller Medical Center at UCSF at Parnassus Heights. The new hospital is a critical part of UCSF's plan to increase capacity to serve more patients, ensure UCSF provides high-quality health care, and continues to advance medical research. UCSF is currently preparing the site for construction and is committed to offsetting any potential impacts.

### Greening Parnassus Heights

Streetscape and construction plans necessitate the removal of 28 street trees within the next few months. San Francisco requires a 1:1 replacement of trees removed. Through UCSF's *Greening Parnassus Heights* initiative, UCSF plans to exceed the City of San Francisco's requirement by replanting trees at 2:1 ratio, totaling 56 new trees. A minimum of 14 trees will be re-planted along Parnassus Avenue upon completion of the new hospital, which means 42 trees will be planted over the next few months in the surrounding streets.

### UCSF Community Engagement Process

UCSF introduced the *Greening Parnassus Heights* initiative to the community for feedback in UCSF-hosted community meetings and at street fairs and nearby farmers



markets in June, July, August, and September 2022. UCSF is deeply committed to transparent community engagement and to regularly informing the community about upcoming activities, potential impacts, and mitigations.

Guided by San Francisco’s Bureau of Urban Forestry (BUF) data, UCSF outlined four approximate areas where trees could be planted in the neighborhoods adjacent to the Parnassus Heights campus. A survey was heavily promoted (electronically and through postal mail) throughout the surrounding neighborhoods to encourage community members to identify where they would like to prioritize tree planting. The areas surveyed by the neighbors in order of ranking are:

1. Connection to Inner Sunset
2. Connection to Golden Gate Park
3. Connection to Cole Valley
4. Hillway Avenue

### 1. Connection to Inner Sunset



## 2. Connection to Golden Gate Park



## 3. Connection to Cole Valley



#### 4. Hillway Avenue



#### 6.0 SCOPE OF WORK

The Scope of Work includes three sections:

##### Section I: Collaboration, Communication and Coordination

- Collaborate with the Community:
  - Conduct outreach to engage as many neighbors as possible.
  - Identify preferred location of trees. UCSF's survey results indicate the Inner Sunset as the preferred location; however, there may be enough trees to plant in other locations as well. Some neighbors have done their own assessment about tree location and preferences.
  - Work with community, City and UCSF to identify species of trees.
  - Request permission of property owners to plant trees in front of their homes.
  - Plan a community tree-planting celebration. Conduct outreach, plan, and execute the event. Include neighbors, community leaders, organizational partners, UCSF and City of San Francisco staff, and more. Partner with UCSF to ensure mutual goals are met.
  - Over the course of the 3-year contract, maintain communication and/or provide engagement opportunities with the community.

- Collaborate with the City and County of San Francisco Bureau of Urban Forestry (BUF) and Department of Public Works (DPW)
  - Identify open tree wells in the Parnassus Heights surrounding neighborhoods.
  - Acquire planting permits.
- Collaborate with UCSF:
  - Ensure the location and number of tree wells matches the stated goal.
  - Involve UCSF in aspects of the tree-planting celebration and other engagement opportunities.
  - Be available to present at community meetings.

### Section II: Plant the Trees

- Tree Well Cutting:
  - As part of permitting before digging, call 811 for Utility Service (“USA Dig”) to ensure safe concrete demolition
  - Cut concrete well and dispose of material properly. (Concrete box refuse box will be available at UCSF’s Parnassus Heights Campus). Purchase trees, planting material, and tree water bags
  - Dispose of trash and concrete appropriately
- Plant 42 trees respecting the ANSI A300 standard:
  - Minimum 15-gallon tree, the City’s standard
  - 2 stake system
  - Natural mulch (provided by UCSF Grounds)
  - One water bag

### Section III: Maintain health of trees over 3 years:

- Weekly watering service
- Fertilization (rain season, 30-0-10, nitrogen shouldn’t be lower than 30%)
- Stakes adjustments, as needed
- Structural pruning at Year 2
- Stake removal at the end of Year 3
- Notify UCSF if the tree is dead and needs to be replaced.
- Reserve funding to replace five trees over the three-year period of the contract. If more than five trees need to be replaced, inform UCSF and propose a solution.

#### **1. Documentation, reporting and additional communication:**

- Provide a written annual report about the health and maintenance of the newly planted trees for 3 years.
- Provide UCSF with regular updates and annual reports on the status of outreach, engagement and collaboration with the neighbors and City.



- UCSF will use these updates and reports to inform the Bureau of Urban Forestry (BUF) and the community about the progress of this initiative. Updates will also be shared at the Parnassus Heights Quarterly Construction Meeting.

**2. Proposal, and evaluation questions:**

- Describe your work plan and timeline to perform the scope of work, across the three areas: 1) collaboration, communication, and coordination; 2) planting the trees; and 3) maintaining the trees. Include your plan to collaborate with UCSF, relevant City agencies, and neighbors. Describe the staff and volunteers who will be leading and supporting this project. Provide details about methods, materials and tools used to plant and maintain trees.
- Describe two similar projects, the outcomes. Provide two references.
- UCSF is committed to providing career pathways for underrepresented minorities. Please provide supporting documentation and detail any career advancement opportunities provided by your organization associated with this project.
- Provide an explanation of program cost, staff time, materials, and other relevant expenses.

**7.0 TIMELINE**

Item	State Date	Start Time	Close Date	Close Time
RFP Release Date	Tuesday, January 10, 2023	8:00 AM	Friday, February 10, 2023	5:00 PM
Bidder RFP Questions	Tuesday, January 10, 2023	8:00 AM	Friday, January 20, 2023	5:00 PM
UC Response to Questions	Monday, January 23, 2023	8:00 AM	Friday, January 27, 2023	5:00 PM
Bidder Proposal Due Date	Monday, January 30, 2023	8:00 AM	Friday, February 10, 2023	5:00 PM
UC Evaluation of Proposals	Monday, February 13, 2023	8:00 AM	Friday, February 24, 2023	5:00 PM
Bidder Interviews	Monday, February 27, 2023	8:00 AM	Friday, March 10, 2023	5:00 PM
UC Evaluation of Bidder Interviews	Monday, March 13, 2023	8:00 AM	Friday, March 17, 2023	5:00 PM
Intent to Award	Monday, March 20, 2023	8:00 AM	Friday, March 24, 2023	5:00 PM
Non-Award Notification	Monday, March 20, 2023	8:00 AM	Friday, March 24, 2023	5:00 PM
Execute Contract	Monday, March 27, 2023	8:00 AM	Friday, April 28, 2023	5:00 PM
Contract Start Date	Monday, May 1, 2023	8:00 AM		5:00 PM

\*Note: All times are Pacific Standard.

*The University does not guarantee the above schedule and reserves the right to modify this schedule at its discretion.*

The UC reserves the right to conduct interviews with some or all of the Supplier's at any point during the evaluation process. While presentations are anticipated for this project, the UC may determine interviews are not necessary. In the event interviews or presentations are conducted, information provided during the interview/presentation process shall be taken into consideration when evaluating the stated criteria. The UC shall not reimburse the Supplier for the costs associated with the interview process.

## **8.0 UNIVERSITY'S RIGHTS**

1. The University reserves the right to modify or cancel in whole or in part its solicitation at any time prior to contract award.
2. The University reserves the right to reject any or all bids if the University determines that a supplier's bid was non-responsive to the solicitation requirements and to waive informalities and minor irregularities in bids received.
3. The University reserves the right to reject any or all bids if the University determines that a bidder is not a responsible supplier.
4. The University reserves the right to award to multiply suppliers, one supplier or none.

## **9.0 BIDDER INTERVIEWS**

Department will reach out to bidders to schedule interviews.

## **10.0 TERM OF CONTRACT**

The selected service provider will be awarded a contract with an initial term of three (3) years.

## **11.0 PAYMENT TERMS**

0 Net 0; if you are a supplier who receives a UCSF purchase order you will be required to submit invoices through our electronic invoice solution Transcepta.

[http://connect.transcepta.com/assets/pdf/UCSF\\_Supplier\\_Letter\\_2020\\_v2.pdf](http://connect.transcepta.com/assets/pdf/UCSF_Supplier_Letter_2020_v2.pdf)

## **12.0 PROTEST OF AWARD**

A Bidder (or other interested party as defined under the University's Procurement Procedures) may file a protest with the University alleging a violation of applicable federal or state law and/or University policy or procedure relative to the seeking, evaluating and/or awarding of a procurement contract. Such protest must be filed no later than ten (10) days after the date of notice of award or non-award of contract by the University.

## **13.0 SUSTAINABILITY**

The University of California, San Francisco is committed to continuous improvement in procuring environmentally preferable products, promoting sustainable practices, managing energy consumption, ensuring human health, supporting fair labor practices, investing in supplier diversity and considering sustainability in all activities. As such, the University includes in solicitations for the procurement of services sustainability criteria applicable to the service and/or good being procured. Criteria may include, but is not limited to: third party certifications, sustainable product attributes, a demonstrated commitment to sustainability in business practices, corporate social responsibility, and life cycle impacts of proposed goods or services. See the University of California Sustainable Practices Policy (<https://policy.ucop.edu/doc/3100155>) and the UCSF Sustainable Office <https://sustainability.ucsf.edu/> for information sites for more detail.

#### **24.1 SUSTAINABILITY STANDARDS**

All suppliers to the University of California are required to meet all applicable sustainability standards and requirements as outlined in the UC Sustainable Practices Policy (<https://policy.ucop.edu/doc/3100155>). The University prioritizes partnerships with suppliers that share our commitments to economic, social, and environmental sustainability.

#### **14.0 INSURANCE REQUIREMENTS**

Bidders must have the ability and agree to obtain the necessary insurance. Upon Agreement award, successful Bidder shall furnish a certificate of insurance acceptable to University (see UC Terms and Conditions, page 7-8, ARTICLE 9 – INSURANCE). All certificates shall name “The Regents of the University of California” as an additional insured. The certificates must be submitted to the RFQ Administrator prior to the commencement of services.

#### **15.0 FAIR WAGE/FAIR WORK**

Supplier is required to pay no less than the UC Fair Wage when providing the Services performed at any UC location. Also, for services that exceed \$100,000 annually, Supplier agrees to provide UC with a UC Fair Wage/Fair Work certification as per Article 25 of the UC Terms and Conditions of Purchase, Article 25.

#### **16.0 RFP ATTACHMENTS**

The following attachments are included as part of this RFP:

1. NDA
2. Supplier Bidding Guide for CalUSource
3. UC Invoice Transmission and Payment and Settlement Terms
4. UC Terms and Conditions
5. RFP Document
6. Price Sheet

## 7. Questionnaires

### 17.0 CONTENT OF SUBMITTAL

- Cover Letter (3-page limit). A cover letter outlining how the entity would approach the program with special attention given to the components considered key to advancing UCSF's intention and summarizing the key points of the submittal.
- Proposal
- Price Sheet



EXHIBIT F  
Public Works' Tree Appraisals

**Field Appraisal Sheet**

Tree Number		1	2	3	4	5	
Species		Arbutus unedo ID 204271	Arbutus unedo ID 204272	Arbutus unedo ID 204273	phaenoprym, ID 206753, HBC Called pitt? Is	Lagunaria pattersonii 209860	
<b>Basic Tree Cost</b>	#1	multi-stem diameters			3 @ 2; 9 @ 1		
	#2	Trunk Diameter (#1 / 3.14)	12 in	9 in	12 in	1 in	
	#3	Trunk Area (#2 <sup>2</sup> / 4 x 3.14)	103.8 in	63.6 in	103.8 in	44.745	.8 in
	#4	Unit Tree Cost	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in
	#5	<b>Basic Tree Cost (#5 * #6 + #7)</b>	\$10,381.63	\$6,358.50	\$10,381.63	\$4,474.50	\$78.50
<b>Condition</b>	#6	Health (10-100%)	40%	40%	40%	50%	100%
	#7	Structure (10-100%)	90%	90%	90%	50%	100%
	#8	Form (10-100%)	100%	100%	100%	50%	100%
	#9	<b>Condition Rating (combine #6-#8)</b>	77%	77%	77%	50%	100%
<b>Limitations</b>	#10	Functional Limitations	90%	90%	90%	50%	100%
	#11	External Limitations	100%	100%	100%	100%	100%
<b>Additional Costs</b>	#12	<b>Depreciated Cost (#5 x #9 x #10 x #11 x #12)</b>	\$7,163.32	\$4,387.37	\$7,163.32	\$1,118.63	\$78.50
	#13	Additional Costs					<b>Standard in-lieu fee if appraisal is less</b>
	#14	Total Cost	\$7,163.32	\$4,387.37	\$7,163.32	\$1,118.63	\$78.50
#15	<b>Assignment Result (round #14)</b>	<b>\$7,163.00</b>	<b>\$4,400.00</b>	<b>\$7,200.00</b>	<b>\$2,302.00</b>	<b>\$2,302.00</b>	<b>\$23,367.00</b>

anything appraising under in-lieu rounded up to in-lieu \$2302

Table of Values for Functional and External Limitations:

- No impact on value 81%-100%
- Minor impact 61%-80%
- Moderate impact 41%-60%
- Severe impact 21%-40%
- Extreme impact 0%-20%

Condition Rating: Combination of Health, Structure, and Form ratings. It may be either:

- 1) The lowest of the three;
- 2) The mean value of the three; used here
- 3) A weighted average of the three; or
- 4) Intuitively chosen by appraiser experience.

Spreadsheet Key

<http://www.jameskomen.com/resources/Spreadsheet%20Key.pdf>

condition should not be an avg of health structure and form. A dead tree with perfect structure an form should not be avg or 0, 100, 100. it should be 0

Field Appraisal Sheet

Tree Number		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
Species		Metrosideros excelsa 209858	Metrosideros excelsa 209859	Metrosideros excelsa 209861	Metrosideros excelsa 209862	Metrosideros excelsa 209863	Metrosideros excelsa 209864	Metrosideros excelsa 209865	Metrosideros excelsa 209866	Metrosideros excelsa 209867	Metrosideros excelsa 209868	Metrosideros excelsa 209869	Metrosideros excelsa 209870	Metrosideros excelsa 209871	Metrosideros excelsa 209872	Metrosideros excelsa 232639	
Cost	#1	multi-stem dbh		7,7,7,6,5	7,7,7,6,5	7,7,7		7,7,7,6,6		7,7,7,6,6	7.5,6,6,6,5		8,8,7,5,7,6,5,6,	10,10	8,8,8,7,6,5,3		
	#2	Trunk Diameter (#1 / 3.14)	13 in	13 in			5 in		14 in			13 in				9 in	
	#3	Trunk Area (#2 <sup>2</sup> / 4 x 3.14)	132.7 in	132.7 in	153.86	163.28	115.395	15.9 in	171.915	153.9 in	210.38	148.56125	132.7 in	249.43375	157	244.135	63.6 in
	#4	Unit Tree Cost	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in
	#5	Basic Tree Cost (#5 * #6 + #7)	\$13,266.50	\$13,266.50	\$15,386.00	\$16,328.00	\$11,539.50	\$1,589.63	\$17,191.50	\$15,386.00	\$21,038.00	\$14,856.13	\$13,266.50	\$24,943.38	\$15,700.00	\$24,413.50	\$6,358.50
Condition	#6	Health (10-100%)	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	
	#7	Structure (10-100%)	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	
	#8	Form (10-100%)	90%			50%	50%										
	#9	Condition Rating (combine #6-8)	87%	57%	57%	73%	73%	57%	57%	57%	57%	57%	57%	57%	57%	57%	
Limitations	#10	Functional Limitations	50%	50%	80%	60%	60%	80%	60%	80%	80%	60%	80%	80%	80%	60%	
	#11	External Limitations	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
	#12	Depreciated Cost (#5 x #9 x #10)	\$5,748.82	\$3,758.84	\$6,974.99	\$7,184.32	\$5,077.38	\$720.63	\$5,845.11	\$6,974.99	\$9,537.23	\$5,051.08	\$6,014.15	\$11,307.66	\$7,117.33	\$8,300.59	\$2,161.89
Additional Costs	#13	Additional Costs															
	#14	Total Cost	\$5,748.82	\$3,758.84	\$6,974.99	\$7,184.32	\$5,077.38	\$720.63	\$5,845.11	\$6,974.99	\$9,537.23	\$5,051.08	\$6,014.15	\$11,307.66	\$7,117.33	\$8,300.59	\$2,161.89
#15	Assignment Result (round #1)	\$5,700.00	\$3,800.00	\$7,000.00	\$7,200.00	\$5,100.00	\$2,302.00	\$5,800.00	\$7,000.00	\$9,500.00	\$5,100.00	\$6,000.00	\$11,300.00	\$7,100.00	\$8,300.00	\$2,302.00	\$93,504.00

2302 is min in-lieu fee

Table of Values for Functional and External Limitations:

- No impact on value 81%-100%
- Minor impact 61%-80%
- Moderate impact 41%-60%
- Severe impact 21%-40%
- Extreme impact 0%-20%

Condition Rating: Combination of Health, Structure, and Form ratings. It may be either:

- 1) The lowest of the three;
- 2) The mean value of the three used here
- 3) A weighted average of the three; or
- 4) Intuitively chosen by appraiser experience.

Spreadsheet Key

<http://www.jameskomen.com/resources/Spreadsheet%20Key.pdf>

condition should not be an avg of health structure and form. A dead tree with perfect structure an form should not be avg or 0, 100, 100. it should be 0

**Field Appraisal Sheet**

Tree Number		1	2	3	4	5	6	7	8	
Species		Cupressus macrocapra 206880	ssus macrocapra 2	essus macrocapra 20	essus macrocapra 20	sus macrocapra	sus macrocapra	ssus macrocapra 2	pressus macrocapra 206887	
<b>Basic Tree Cost</b>	#1	Trunk Circumference								
	#2	Trunk Diameter (#1 / 3.14)	34 in	23 in	23 in	20 in	29 in	23 in	18 in	24 in
	#3	Trunk Area (#2 <sup>2</sup> / 4 x 3.14)	907.5 in	415.3 in	415.3 in	314.0 in	660.2 in	415.3 in	254.3 in	452.2 in
	#4	Unit Tree Cost	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in	\$100 / sq in
	#5	<b>Basic Tree Cost (#5 * #6 + #7)</b>	\$90,746.00	\$41,526.50	\$41,526.50	\$31,400.00	\$66,018.50	\$41,526.50	\$25,434.00	\$45,216.00
<b>Condition</b>	#6	Health (10-100%)	80%	80%	80%	80%	80%	80%	80%	80%
	#7	Structure (10-100%)	75%	80%	80%	80%	80%	80%	80%	80%
	#8	Form (10-100%)	90%	90%	90%	90%	90%	90%	90%	90%
	#9	<b>Condition Rating (combine #6-#8)</b>	82%	83%	83%	83%	83%	83%	83%	83%
<b>Limitations</b>	#10	Functional Limitations	80%	80%	80%	80%	80%	80%	80%	80%
	#11	External Limitations	100%	100%	100%	100%	100%	100%	100%	100%
<b>Additional Costs</b>	#12	<b>Depreciated Cost (#5 x #9 x #10 x #11 x #12)</b>	\$59,287.39	\$27,684.33	\$27,684.33	\$20,933.33	\$44,012.33	\$27,684.33	\$16,956.00	\$30,144.00
	#13	Additional Costs								
	#14	Total Cost	\$59,287.39	\$27,684.33	\$27,684.33	\$20,933.33	\$44,012.33	\$27,684.33	\$16,956.00	\$30,144.00
#15	<b>Assignment Result (round #14)</b>	<b>\$59,300.00</b>	<b>\$27,700.00</b>	<b>\$27,700.00</b>	<b>\$20,900.00</b>	<b>\$44,000.00</b>	<b>\$27,700.00</b>	<b>\$17,000.00</b>	<b>\$30,100.00</b>	<b>\$254,400.00</b>

grand total **\$371,271.00**

Table of Values for Functional and External Limitations:

- No impact on value 81%-100%
- Minor impact 61%-80%
- Moderate impact 41%-60%
- Severe impact 21%-40%
- Extreme impact 0%-20%

Condition Rating: Combination of Health, Structure, and Form ratings. It may be either:

- 1) The lowest of the three;
- 2) The mean value of the three; used here
- 3) A weighted average of the three; or
- 4) Intuitively chosen by appraiser experience.

Spreadsheet Key

<http://www.jameskomen.com/resources/Spreadsheet%20Key.pdf>

condition should not be an avg of health structure and form. A dead tree with perfect structure an form should not be avg or 0, 100, 100. it should be 0

## DOCUMENTS FROM THE DECEMBER 14, 2020 HEARING

**BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO**

Appeal of  
JOSHUA KLIPP, )  
Appellant(s) )  
vs. )  
SAN FRANCISCO PUBLIC WORKS )  
BUREAU OF URBAN FORESTRY, )  
Respondent )

Appeal No. **22-079**

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on November 3, 2022, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on October 20, 2022 to UCSF, of a Public Works Order (APPROVAL to remove 28 street trees with replacement; UCSF will demolish an existing hospital building and the new hospital building will require extensive health-care specific utilities which will require removal of the trees) at 401 Parnassus Avenue.

**PUBLIC WORKS ORDER NO. 207226**

**FOR HEARING ON December 14, 2022**

Address of Appellant(s):

Address of Other Parties:

Joshua Klipp, Appellant(s) 884 Kansas Street San Francisco, CA 94107	UCSF, Determination Holder(s) c/o Morgan Vaisset-Fauvel, Agent for Determination Holder(s) UCSF Parnassus Campus 401 Parnassus Ave. San Francisco, CA 94143
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Date Filed: November 3, 2022

**CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS**

**PRELIMINARY STATEMENT FOR APPEAL NO. 22-079**

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I / We, **Joshua Klipp**, hereby appeal the following departmental action: **ISSUANCE** of **Order No. 207226** by the **San Francisco Public Works Department** which was issued or became effective on: **October 20, 2022**, to: **UCSF**, for the property located at: **401 Parnassus Avenue**.

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: 4:30 p.m. on **Wednesday, November 23, 2022 (note: this is one day earlier than the Board's regular briefing schedule due to the Thanksgiving holiday)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org), [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org), [chris.buck@sfdpw.org](mailto:chris.buck@sfdpw.org) and [morgan.vaisset-fauvel@ucsf.edu](mailto:morgan.vaisset-fauvel@ucsf.edu).

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **December 8, 2022, (no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org), [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org), [chris.buck@sfdpw.org](mailto:chris.buck@sfdpw.org) and [Joshuaklipp@gmail.com](mailto:Joshuaklipp@gmail.com).

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, December 14, 2022, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place**. The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org). Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at [www.sfgov.org/boa](http://www.sfgov.org/boa). You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

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**The reasons for this appeal are as follows:**

Not submitted.

**Appellant: Joshua Klipp filed the appeal by email.**



San Francisco Public Works  
General – Director’s Office  
49 South Van Ness Ave., Suite 1600  
San Francisco, CA 94103  
(628) 271-3160 [www.SFPublicWorks.org](http://www.SFPublicWorks.org)

**Public Works Order No: 207226**

**THIS ORDER SUPERSEDES ORDER 207220**

**Not all parties were notified. Please note the appeal window has been updated.**

The Director of Public Works held a Public Hearing on Monday, September 26<sup>th</sup>, 2022, commencing at 5:30 PM via teleconference to consider several items related to tree removals. The hearing was held through videoconferencing to allow remote public comment.

The hearing was to consider Order No. 207112 (permit application 792615) the removal of twelve (12) street trees and sixteen (16) significant trees with replacement at 401 Parnassus Ave. Public Works staff approved the removals, and the public protested.

**Findings:**

The Department’s presentation was made by Daniel Hoffman, Bureau of Urban Forestry.

The application for removal was submitted by the property owner (UCSF Parnassus Campus). The applicant will demolish an existing hospital building and the new hospital building(s) will require extensive health-care specific utilities which will require removal of the trees.

The applicant conducted extensive outreach to the adjacent neighborhoods. The applicant has committed to planting two for one replacement trees adjacent to and within the nearby neighborhood, with the locations of new trees selected with input from members of the neighboring communities during public outreach events.

Public Works staff approved the removals. During the hearing it was stated that sixteen (16) of the trees were significant trees (trees on private property but within a 10’ PROW). However, the width of the public right-of-way has been confirmed as 15’ ft. measured from the face of the curb and all twenty-eight (28) subject trees are considered street trees.

Members of the public have protested this removal stating that the applicant should take a more creative approach to working with the trees and planning around them. The public expressed concerns about maintenance of new trees and the loss of existing canopy for much smaller replacement trees, citing the fact that large trees provide more benefits and that new young trees are susceptible to vandalism and mortality during the establishment period.

**Recommendation:**

After consideration of correspondence and testimony provided, the recommendation is to approve the removal of the trees with replacement as outlined in the application.

**Appeal:** This Order and permit no. 792615 may be appealed to the Board of Appeals within 15 days of October 20<sup>th</sup>, 2022.



Board of Appeals

49 South Van Ness Ave. suite 1475 (14<sup>th</sup> Floor)

San Francisco, CA 94103

Phone: 628.652.1150 Email: [Boardofappeals@sfgov.org](mailto:Boardofappeals@sfgov.org)

NOTE: Board of Appeals office is closed until further notice, due to COVID-19

Due to COVID-19 social distancing measures, more information about how to file an appeal can be obtained by calling 628-652-1150 or by emailing the Board of Appeals at [Boardofappeals@sfgov.org](mailto:Boardofappeals@sfgov.org). For additional information on the San Francisco Board of Appeals and to view the Appeal Process Overview, please visit their website at <http://sfgov.org/bdappeal/>

X

DocuSigned by:

*Albert Ko*

Ko, Albert J -281DC30E04CF41A...

Engineer

# BRIEF SUBMITTED BY THE APPELLANT(S)

Appeal: No. 22-079, Klipp vs. SFPW-BUF  
Determination or Permit No.: 207226  
Subject Property: 401 Parnassus Avenue  
Determination or Permit Type: Tree Removal Order  
Appeal Hearing Date: December 14, 2022, 5pm

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## I. INTRODUCTION

I, Joshua Klipp, respectfully appeal the Department of Public Works' (DPW) October 20, 2022, decision approving the removal of 28 street trees for construction.

## II. ARGUMENT SUMMARY

DPW's decision approving the removal of 28 trees for construction must, by law and policy, be overturned because it:

1. Doesn't meet the City Urban Forester's own standards for approving tree removals;
2. Violates the law regarding mandatory appraisal and in lieu fees for removal of street trees, effectively giving this applicant favored status; and
3. Relies on a legally flawed and unenforceable tree planting and replacement plan similar to other plans that DPW has accepted - and this Board has required - but, years later, remain unenforced.

Additionally, it is concerning that, in response to a September 1, 2022, email from the permit applicant stating "these trees do need to be removed end of the year so hope can keep to the 9/26 hearing", the City's Urban Forester promised "Okay, end of the year is still a reasonable timeline to account for possible appeals to BOA."<sup>1</sup> This would seem to pre-determine these trees' fate in favor of this applicant for their project timeline,

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<sup>1</sup>  RE\_NHPH Tree Removal.pdf

regardless of the Director of DPW's independent decision-making authority and this Board's independent authority to sustain or overrule the Director and grant this appeal.

Accordingly, I respectfully request that this appeal be granted, and that the decision at issue here be overturned.

### III. FACTUAL BACKGROUND

#### A. The Trees at Issue Here, SF's Urban Forest Plan, and SF's Climate Action Strategy.

There are 28 street trees at issue here: 15 New Zealand Christmas trees; 3 Strawberry trees; 8 Monterey Cypress; 1 Primrose tree; and 1 Washington Hawthorn. According to a 2016 assessment of these trees<sup>2</sup>: One is in very good condition; 15 are in good condition; 6 are in fair condition; and 6 are in poor condition. According to that same 2016 assessment, the combined diameter of these trees is nearly 45 feet. To put this in perspective:

- If you were to place the trunks upright side by side, their diameters alone would be equivalent in width to the length of the Hollywood sign.
- If you were to walk the length of the public right of way adjacent to these trees, it would be nearly 1 ½ football fields in length.
- If you were to look down on these trees from an aerial view, their canopies would cover roughly the size of Fort Knox.

According to the City's 2014 Urban Forest Plan, San Francisco had - in 2014 - a 13.7% canopy coverage, the smallest of any major city in the United States.<sup>3</sup> According

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<sup>2</sup> [https://drive.google.com/drive/folders/1KGgof35LCvjneXapbQE2OR62LxdaxzY0?usp=share\\_link](https://drive.google.com/drive/folders/1KGgof35LCvjneXapbQE2OR62LxdaxzY0?usp=share_link)

<sup>3</sup> <https://tinyurl.com/56tcd65a>

to a 2021 report by the City’s Budget and Legislative Analyst Office on how badly the City is failing our 2014 Urban Forest Plan, “the City’s 10-year average of 2,154 street trees planted annually is *less than half* of the 5,000 of street trees that need to be planted annually to ensure that the City’s street tree population *does not shrink*, given a four percent tree mortality rate.” Additionally, the same report noted that “Over the past 10 years, the Department of Public Works and Friends of the Urban Forest *have not planted enough trees to maintain the City’s baseline street tree population.*”<sup>4</sup> [Emphasis added]. In other words, the City is utterly failing the 2014 Urban Forest Plan - a key element of the City’s 2021 Climate Action Plan - and our tree canopy is shrinking, not growing.<sup>5</sup>

As a matter of fact, our City’s 2021 Climate Action Plan - a plan formed in response to the City’s 2019 declaration that we are in a “Climate Emergency” - not only calls for “By 2040, plant 30,000 street trees in the sidewalk tree wells, approximately a 25% increase”, it also calls for “By 2023, create a policy to require preservation of mature trees during development or infrastructure modifications and for planting of basal area equivalent of mature trees whose removal is unavoidable.”<sup>67</sup>

Notably, for FY 2022-23, SF’s Board of Supervisors set aside \$0 for tree planting and replacements, ensuring that our City will continue to lose tree canopy at

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<sup>4</sup> ■ 061421\_PA\_of\_DPW\_Street\_Resurfacing\_Prog\_&\_StreetTreeSF Prog.pdf , see page 63.

<sup>5</sup> It’s worth noting that the Urban Forest Plan and BLA report address our urban forest in terms of numbers only, not percentage of tree canopy. This means, in effect, that our City counts a new, unestablished sapling as equivalent to a large, healthy and established tree.

<sup>6</sup> <https://tinyurl.com/2ymuuj7d>, see page 120.

<sup>7</sup> Since we are now about 1 month away from 2023, I would be curious to know if there has been any progress on the Climate Action Plan’s call to develop a policy to “require preservation of mature trees during development or infrastructure modifications and for planting of basal area equivalent of mature trees whose removal is unavoidable”. As someone involved in and familiar with San Francisco tree policy, I have personally heard nothing about this from any City Department.

unprecedented rates, despite the acknowledgment that these trees are critical to our City's future climate resilience.

B. Tree Removal Applicable Policy, Rules and Processes

1. *DPW's Policy Involving Construction-Related Tree Removals*


At an October 5, 2022, DPW administrative tree removal hearing, San Francisco's Urban Forester, Chris Buck, stated "[DPW is] not here to evaluate whatever construction may be taking place...our reasons for removal are based on tree health, not whatever work is taking place on site."<sup>8</sup> He further stated that if trees are in reasonable condition, the Department's decision "would be a denial" (of the request to remove).


At the September 26, 2022, DPW administrative tree removal hearing regarding the trees at issue here, DPW's Tree Inspector mentioned only once that some of the trees had defects. In justifying the decision to remove, the DPW inspector stated rationale such as the trees were "likely or very possibly within new building footprint", that "demolishing the building and building a new building is likely to impact these trees" and "pruning is probably not a good option . . . since they may need access from cranes, from big trucks and things like that."<sup>9</sup>

2. *Public Works Code Article 16 Section 806(b)(3)(A)*

According to the underlying decision here, as well as the City's Tree Assessment records, all 28 of the trees at issue here qualify as "Street Trees". Per San Francisco Public Works Code Article 16 Section 806(b)(3)(A)<sup>10</sup>:

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<sup>8</sup>  10-5-2022 Public Works Hearing

<sup>9</sup>  9-26-2022 Public Works Hearing

<sup>10</sup> [https://codelibrary.amlegal.com/codes/san\\_francisco/latest/sf\\_publicworks/0-0-0-4154](https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_publicworks/0-0-0-4154)

“If the Department grants a Tree removal permit, *it shall require that a Street Tree or Trees of equivalent replacement value to the one removed be planted in the place of the removed Tree or impose an in-lieu fee* unless it makes written findings detailing the basis for waiving or modifying this requirement.” [Emphasis added].

Notably, nothing in the underlying decision indicates compliance with this requirement. Also notably, in a similar case heard this past June, a private homeowner seeking to remove a 20” dbh New Zealand Christmas tree that was in fair condition - also for construction - was granted that approval but required to “plant three replacement trees and pay \$7,710 for the remaining value of the tree.”<sup>11</sup>


3. *Public Works Code Article 16 Section 806 (b)(3)(D)(2)*

According to that same Article, Section 806(b)(3)(D)(2), governing the required planting of street trees for development projects: “The Director shall require one Street Tree for each 20 feet of Street frontage of the property containing the development project, with any remaining fraction of 10 feet or more of frontage requiring an additional Tree.” Here, the applicant’s submitted documentation indicates a combined length of 560 feet of street frontage, requiring 28 trees.<sup>12</sup> The ‘replacement plan’ submitted by the applicant, however, proposes only 14 new trees along the project frontage.

While the applicant also notes its commitment to planting 42 trees in undetermined existing or new sites somewhere in the rest of the neighborhood, this is

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<sup>11</sup>  Order206778\_Resulting\_Decision\_136\_Delmar.docx.pdf

<sup>12</sup>  401 Parnassus Ave UCSF NHPH Checklist for Tree Planting and Protection 06.08.2022.pdf

not what the law requires, nor is there anything in Article 16 that would give DPW the power to enforce this promise.<sup>13</sup>

In fact, there are instances of other permit applicants promising to plant additional trees in the area - just like this applicant - and those promises remain unkept years later. See, for example, the Board's decision in Appeal No. 19-075 where, on October 1, 2019, the Board upheld DPW's decision to remove a healthy tree in order to allow Tesla to install a high-speed charger "on the CONDITION that the Bureau of Urban Forestry plants six new street trees in the Tenderloin area that are 24-inch box size, *within six months of this decision*; further that these new street trees are to be paid for by the determination holder."<sup>14</sup> [Emphasis added]. As of January 2022, more than *fifteen months after that decision*, those trees had not been planted despite Tesla's and DPW's promises, and despite a Board of Appeals decision requiring them to do so.<sup>15</sup>

#### 4. *Pertinent Timeline For Applicant's Proposed Removal*

Via the Applicant's Project Manager, Christine Buckley, the underlying tree removal application was submitted on June 8, 2022.<sup>16</sup> On the removal application, Ms. Buckley stated that the reasons for removal as, "Trees removed for demolition of Langley Porter Psychiatric Institute at 401 Parnassus Ave., and construction of the UCSF New Hospital at Parnassus Heights."<sup>17</sup> Oddly, Ms. Buckley's application listed every single tree as a New Zealand Christmas tree, despite this clearly not being the case.

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<sup>13</sup> ■ RE\_ New Hospital Parnassus Heights\_ Tree Remova...pdf

<sup>14</sup> ■ Notice of Decision and Order Appeal No. 19-075 @ 601 Van Ness Avenue (1).pdf

<sup>15</sup> ■ 601 Van Ness - Tesla BOA sites email (1).pdf In fact, I do not believe that this planting requirement has been complied with as of the date of this appeal and, if I am wrong, respectfully request evidence of that at the December 14th hearing.

<sup>16</sup> ■ 401 Parnassus Ave UCSF NHPH Tree Removal Application 06.08.2022.pdf

<sup>17</sup> ■ 401 Parnassus Ave UCSF NHPH Tree Removal Application 06.08.2022.pdf



On June 28, 2022, UCSF Landscape/IPM Project Manager, Morgan Vaisset-Fauvel - also a current member of San Francisco's Urban Forestry Council<sup>18</sup> - emailed Jon Swae asking for "the status of the permit application for tree removal from UCSF Real Estate team".<sup>19</sup> Mr. Swae works for DPW's Bureau of Urban Forestry and "manage(s) contracts, grants and initiatives"<sup>20</sup>. Mr. Swae does not process removal applications, and it is not clear why an active member of San Francisco's Urban Forestry Council - a council charged with protecting our urban forest - would personally involve himself in this inquiry when he is not UCSF's permit applicant or this project manager.

A July 13, 2022, email from Ms. Buckley confirmed that the reason for removal was demolition and construction only.<sup>21</sup> As of July 22, 2022, DPW blanket approved Ms. Buckley's tree removal application<sup>22</sup> and on July 25, the notice of proposed removal was posted to the public.<sup>23</sup> Record evidence indicates that a tree inspector did not actually go out to visit each of the trees proposed for removal until August 1, 2022, a full week after DPW had already approved those trees for removal.<sup>24</sup>

On September 1, 2022, Ms. Buckley emailed DPW Tree Inspector Susan Nawbary, as well as Mr. Vaisset-Fauvel, and stated "these trees do need to be removed end of the year so hope can keep to the 9/26 hearing."<sup>25</sup> In response to Ms. Buckley's concerns about removing the trees, San Francisco Urban Forester, Chris Buck stated

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<sup>18</sup> <https://sfenvironment.org/about/taskforce/urban-forestry-council>

<sup>19</sup> ■ Re\_ UCSF NHPH Tree Removal Application.pdf

<sup>20</sup> <https://jonswae.com/contact>

<sup>21</sup> ■ RE\_ New Hospital Parnassus Heights\_ Tree Remova...pdf

<sup>22</sup> ■ for website Monday 401 Parnassus Av.pdf

<sup>23</sup> ■ USCF Parnassus 401 Parnassus NEW HOSPITAL.pdf

<sup>24</sup> <https://drive.google.com/drive/folders/1KGgof35LCvjneXapbQE2OR62LxdaxzY0?usp=sharing>

<sup>25</sup> ■ RE\_ NHPH Tree Removal.pdf

“Okay, end of the year is still a reasonable timeline to account for possible appeals to [Board of Appeals].”<sup>26</sup>

At the September 26, 2022, hearing, DPW presented its rationale for its blanket approval, see above section II.B.1, almost entirely based on applicant’s general claim that tree removal was required for demolition and construction. On October 20, 2022, DPW issued its decision approving blanket removal, citing applicant’s promised tree replacement plan.

#### IV. ARGUMENT

The facts here speak for themselves. Per the words of San Francisco’s Urban Forester himself, this application never should have been granted because DPW does not approve trees for construction reasons, it approves removals based on the health of the trees. According to the Urban Forester himself then, minimally, 22 of the 28 trees that were in fair to very good condition should have been denied for removal.

Instead, these trees *were not even reviewed until after* the application had been approved. And at the public hearing, DPW relied on vague references to construction in justifying that approval. Additionally, in approving the application, DPW was quick to assure the applicant that no public process - including this appeal and apparently this Board’s independent jurisdiction - would delay their planned tree removal and construction.

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<sup>26</sup> RE\_NHPH Tree Removal.pdf

Additionally, DPW gave this applicant preferred treatment (and a very sweet deal) by not requiring equivalent value or in lieu fees for all of these large, established and healthy trees, despite the fact that ordinary San Franciscans are made to pay such fees.

For one removal of a 20" dbh New Zealand Christmas tree - in fair condition - a private homeowner was ordered to plant 3 replacement trees plus pay nearly \$8,000. Here, there are 28 trees, 22 of which are in fair or better condition, yet the applicant has not been ordered to pay a penny. DPW's decision is a steal for UCSF, and a robbery committed on the people - and ecosystems - of San Francisco.

Additionally, based on past practice and evidence, UCSF's replacement plan is worth as much as the pdf it is written on. For all of UCSF's planning and public outreach, it has yet to identify a single empty basin in the surrounding neighborhood where it plans to plant 42 trees, let alone when or how this planting would even occur. There is no donation to Friends of the Urban Forest on record. There is no Saturday morning tree planting by volunteers planned. There is no documentation from DPW showing basins that are empty (which, frankly, DPW should be filling per the Urban Forest Plan), let alone the identification and cutting of new basins for UCSF's promised trees. There is nothing other than a few lines of promise. If UCSF were as serious about this planting as it was about its new hospital, this all could have been achieved ages ago. But UCSF's concern for the urban canopy seems as apparent as its concern for even properly identifying the trees proposed for removal in its application.

Additionally, UCSF promised only half of the law's required tree plantings along their property frontage, and even these trees wouldn't be planted until the year 2030.

Applicants have made promises like this before in order to assuage DPW and the public, and this Board has even ordered them in their decisions. But once the trees are gone, once construction begins, once the Tesla chargers are installed, the result seems to be that everyone just moves one. Tesla owners get to high speed charge their cars, UCSF will build out to its property line to get the maximum square footage and profit, and once again our canopy diminishes with no enforcement mechanism other than UCSF's commitment to plant in tree wells that have not even been identified.

Everything leading up to DPW's decision here wreaks of a Faustian bargain: the trading of our ideals - our policy, legal requirements, and even our Climate Action Plan - to appease a large, well-funded and well-connected institution that subsidizes public projects city-wide and brings a lot of development and investor money into San Francisco. By the wholesale granting of this application with no regard to the health and protection of this swath of urban canopy, DPW makes clear that money is what matters.

According to the words of San Francisco's Urban Forester, DPW never should have granted this application. And accordingly it should be UCSF, not me, coming to this Board and having to justify why it needs to remove nearly half an acre of trees in a City that has the smallest urban canopy of any major city in the country - a canopy that continues to decline under our City's current leadership despite declaring a Climate Emergency and a well-researched scientific determination by our Environment Department that our canopy - its protection and growth - is critical to future and resilience.

## **V. CONCLUSION**

For all of these reasons, I respectfully request that this appeal be granted, and DPW's decision overturned.

Respectfully submitted,

Joshua Klipp /s/

Date: November 23, 2022

# BRIEF SUBMITTED BY THE DETERMINATION HOLDER(S)

Appeal: No. 22-079, Klipp vs. SFPW-BUF  
Determination for Permit No.: 207226  
Subject Property: 401 Parnassus Avenue  
Determination or Permit Type: Tree Removal Order  
Appeal Hearing Date: December 14, 2022

## I. Introduction

I, Morgan Vaisset-Fauvel, University of California, San Francisco (UCSF) Campus Arborist respectfully respond to Josh Klipp's appeal request.

## II. Argument Summary

In response to JKlipp Brief Appeal Section II Argument Summary:

1. *'The decision doesn't meet the City Urban Forester's own standards for approving tree removals.'*

The subject trees are associated with new construction and are within the project construction footprint. Tree removal is needed for the demolition of the Langley Porter Psychiatric Institute, including raised planter boxes which extend from UCSF property into City property and for the construction of the UCSF New Hospital at Parnassus Heights (NHPH). **Please see Appendix A: LPPI Parnassus photo and Appendix B: Site Plan Application with property line noted.**

2. *'Violates the law regarding mandatory appraisal and in lieu fees for removal of street trees, effectively giving this applicant favored status.'*

Per BUF Tree Removal Guidelines 'For each tree removed, a replacement tree planting is required.' UCSF has committed to double this requirement, financially supporting the planting of 56 street trees---(14) on Parnassus at NHPH and (42) trees within UCSF adjacent community. Trees to be planted in the community will be planted by a local non-profit volunteer partner.

3. *'Relies on a legally flawed and unenforceable tree planting and replacement plan similar to other plans that DPW has accepted - and this Board has required - but, years later, remain unenforced DPW approving the tree removal of 28 trees due to major construction on UCSF Parnassus Avenue'*

UCSF is committed to our proposal of planting two trees for every tree removed. UCSF has completed extensive community outreach associated with this commitment and is eager to support the City and County of San Francisco's goal of increasing canopy cover.

### **III. Background**

- **Site and Design Constraints:**

The NHPH future Hospital site is located at the Northeast corner of the Campus, along Parnassus Avenue and Medical Center Way. The site is adjacent to the UCSF Mount Sutro Open Space Reserve comprised of 61 acres of public open space. As part of our overall plan, UCSF is committed to maintaining the Reserve as permanent open space and has been implementing the UCSF Mount Sutro Open Space Reserve Vegetation



Management Plan, approved in 2018, to improve the health of the reserve, to protect against wildfire, and to maintain the Reserve as a safe space with improved trail access for the public.

The New Hospital is needed to meet state-mandated seismic requirements, and to increase bed capacity (from 475 beds to 682 beds) to meet the growing need for inpatient care and critical healthcare challenges facing the Bay Area and beyond. By necessity, the New Hospital footprint is located adjacent to and east of Moffitt and Long Hospitals, to maintain connectivity to these facilities which will be functionally integrated with the New Hospital. The UCSF Parnassus Heights campus is densely developed, and the New Hospital site is quite constrained by Parnassus Avenue to the north; Medical Center Way and the Reserve to the east; the campus loading dock and other campus structures to the south; and Moffitt and Long Hospitals to the west. Consequently, it is necessary to remove the subject street trees in order to construct NHPH. **Please see Appendix C: NHPH site map.**

- **Tree location and survivability:**

To date, the trees are in good to fair health but are located within the demolition site and a future long-term construction zone. Major demolition, foundation, utilities excavation, and complete sidewalk modernization activities will be undertaken in that same location. It would be inconceivable to keep the trees onsite during such operation, as we would not be able to preserve the critical root zone of those trees. Most of them have the critical root

zone extending into structural demotion zones, or directly under the current foundation of LPPI building that is set for demolition prior to construction of the NHPH. In addition, species such as Monterey Cypress located directly at the front of LPPI have a very low tolerance to construction activities. **See Appendix D: HortScience Arborist NHPH report on survivability of tree during construction.**

- **Tree replanting background:**

As part of the NHPH Landscape Design, in addition to the (14) street trees to be located directly on Parnassus Avenue, UCSF will also be adding (23) trees on our Level 6 terrace as part of the All Day Eatery, which is open to the public and is directly adjacent to Parnassus Avenue, and (6) trees on the wellness garden at the level 8. **Please see Appendix E: L6 landscape designs.**

Furthermore, UCSF's replacement plan focuses on the street trees, and their replacement. As was presented at UCSF's first appeal on September 26, 2022, due to the site constraints (proper distance between trees, underground utilities, Muni line, and other code requirements), UCSF is not able to accommodate (56) new Street Trees on Parnassus Avenue. Therefore, UCSF engaged in a robust Community Outreach program including emailing neighbors, sending over 8,500 postcards, connecting with business leaders, and local Supervisors. UCSF held two community meetings with its neighbors on 06/07/2022 and 08/03/2022 and launched a survey to ask their preference on locations for replacement street trees within the Parnassus Heights Community. There were four proposed locations included in the survey. The results of the survey showed the leading location being in the

Inner Sunset. Planting will focus on the favorite location chosen by neighbors and move to the next location as tree wells are filled. **Please see Appendix F: Community outreach survey results.**

UCSF has started coordination with BUF for tree well/basin availability in those 4 areas and understands the document will have to be verified onsite. **Appendix G: Example BUF excel file cut-well**

UCSF will partner with a local organization for the tree planting effort, through an RFP process, to lead the community outreach, verify the tree wells available from the list provided by BUF, plant the 42 trees, and oversee a watering plan for 3 years.

#### **IV. Argument**

UCSF is committed to its proposal of planting two trees for every tree removed. UCSF is eager to support the City and County of San Francisco's goal of increasing canopy cover. In addition, contrary to Appellant's argument that there is nothing in the Public Works Code that would permit its tree replacement plan, the Department of Public Works can modify certain requirements related to the requirements and standards of street trees pursuant to Section 806(d)(4)(A) of the Public Works Code.

The construction of the new Hospital at Parnassus is imperative to meet the Health Care Service demand, as UCSF is committed to serving our community. It is unfortunate that with the site constraints UCSF is unable to maintain all existing trees, but UCSF is committed to replacing all the removed trees at a ratio of two to one. When the New Hospital at

Parnassus Heights is complete, we will have planted a total of 85 trees: (14) trees on Parnassus, (29) trees on NHPH site (level 6 and level 8) and (42) Street Trees in our neighborhood. UCSF is looking forward to working with a non-profit group to begin planting the 42 trees as early as Spring 2023.

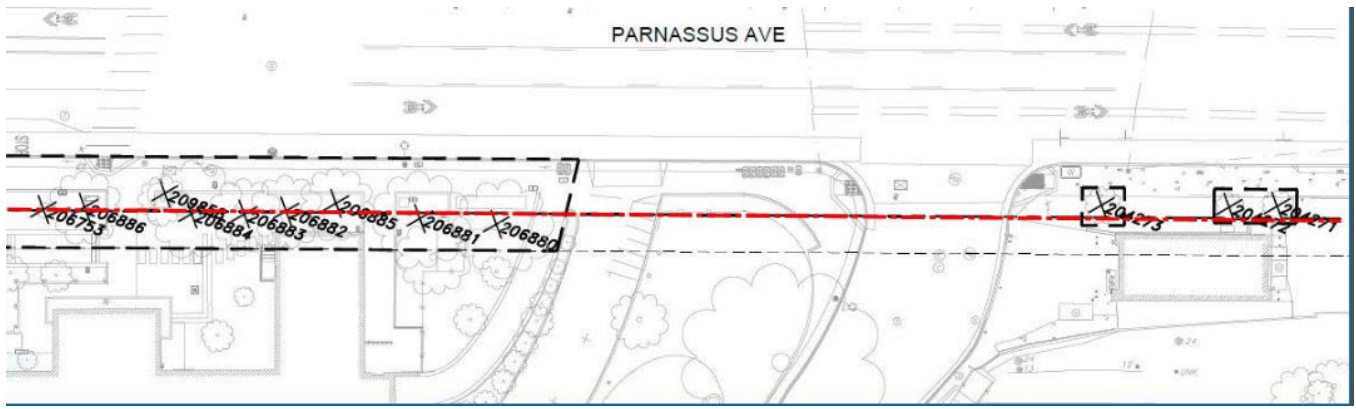
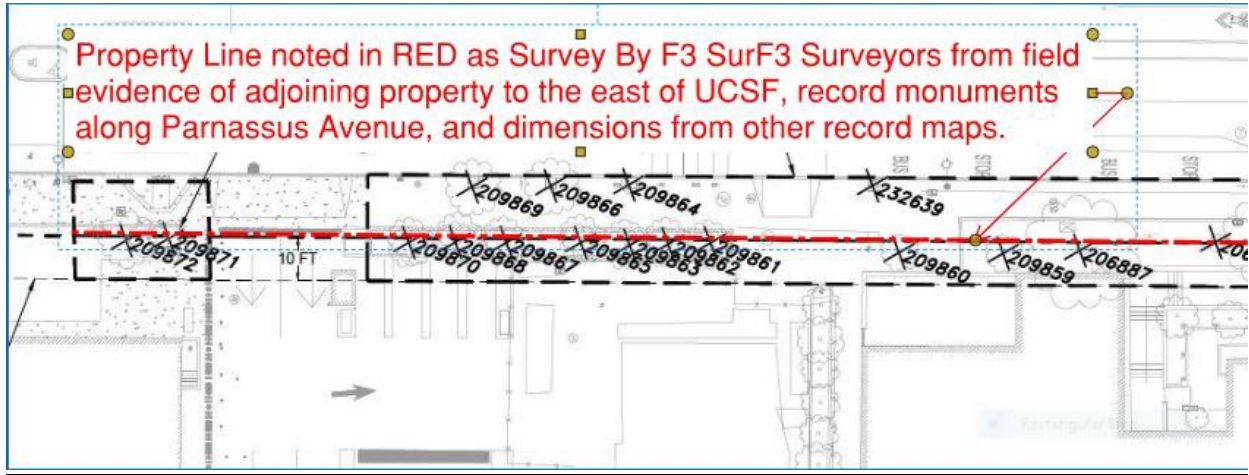
## **V. Conclusion**

I respectfully request that the granting of the UCSF tree removal Permit be upheld, so that UCSF can commence construction of NHPH and implementation of its trees replacement program.

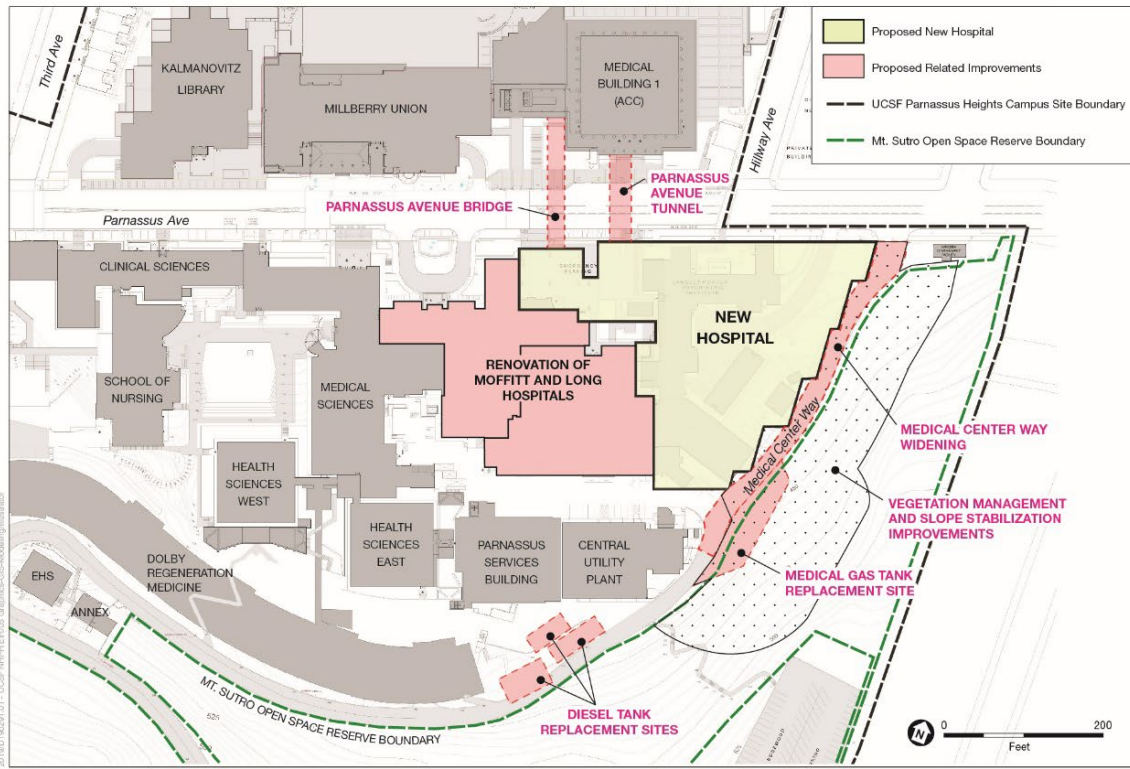
**Appendix A: LPPI Parnassus Google Street photo**



**Appendix B: Site Plan Application with property line noted**



**Appendix C: NPHH site map**



SOURCE: UCSF, 2021

UCSF New Hospital Parnassus Heights EIR



**Figure 3-3**  
New Hospital and Related Improvements Site Map





November 19, 2022

Mr. Morgan Vaisset-Fauvel  
Campus Life Services, Facilities Services  
University of California, San Francisco  
513 Parnassus Avenue, 101C  
San Francisco CA 94143

Subject: Tree removal application appeal

Dear Mr. Vaisset-Fauvel:

The University of California, San Francisco (UCSF) is planning to demolish the existing hospital on the Parnassus campus and construct a new facility (NHPH) in the same general location. UCSF applied for a permit to remove 28 street trees within the project area. The SF Department of Public Works, Bureau of Urban Forestry, approved the permit. The decision has been appealed and a hearing of the appeal scheduled.

You requested that I review proposed project plans and documents related application and the appeal, and comment on the situation. I am familiar with the trees and project area, having provided tree assessment to UCSF for many years. This letter responds to your request.

#### **Description of the Trees**

The 28 trees comprise four species: eight Monterey cypress (*Hesperocyparis macrocarpa*), 16 New Zealand Christmas tree (*Metrosideros excelsa*), one Washington hawthorn (*Crataegus phaenopyrum*) and three strawberry trees (*Arbutus 'Marina'*). With the exception of the strawberry trees, all trees are located on the south side of Parnassus Avenue between the curb and existing building. The strawberry trees are also along Parnassus Avenue, at the far east edge of the project site, adjacent to the Ammonia House.

All 28 trees were planted as part of landscape development in the area. None of the four species are native to San Francisco. There is nothing unique or unusual about these species. Monterey cypress, New Zealand Christmas tree and strawberry tree are commonly found in the city and along its streets. Washington hawthorn is less common but regularly encountered.

The individual trees are typical in size and form and considering the planting location, mature in development. There is nothing particularly unique about them. The trees were inventoried for UCSF in 2018. All trees were in either good or fair condition.

#### **The Project**

I reviewed the Greening Parnassus presentation as well as three pages of plans that accompanied the application for a tree removal permit. The existing facilities will be demolished, the site cleared, and the NHPH constructed. The subject trees are within the project footprint.



**Summary**

In summary, I concur with UCSF's plan to remove and replace the trees. I cannot conceive of how they could be retained during demolition let alone during construction. In my view, any project that requires demolition of existing facilities would require removal of the subject trees. The only realistic action is to remove and replace them as the University has proposed.

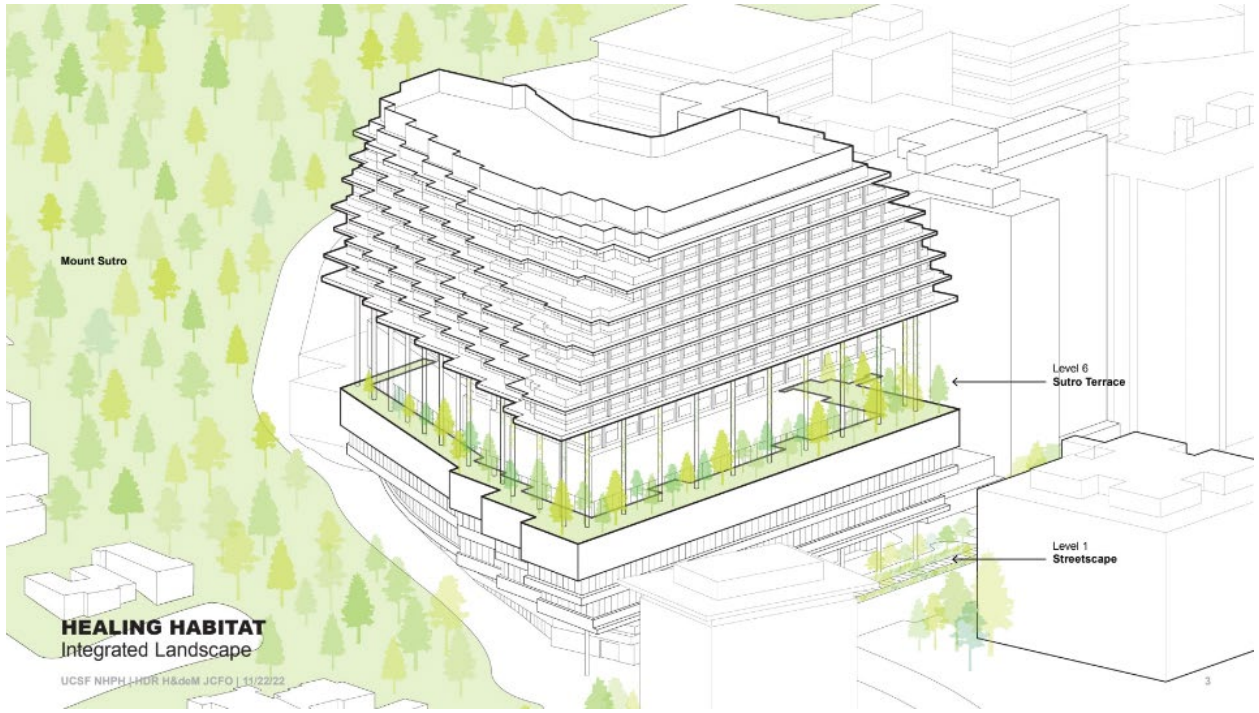
If you have any questions, please feel free to contact me. I look forward to hearing from you.

Sincerely,

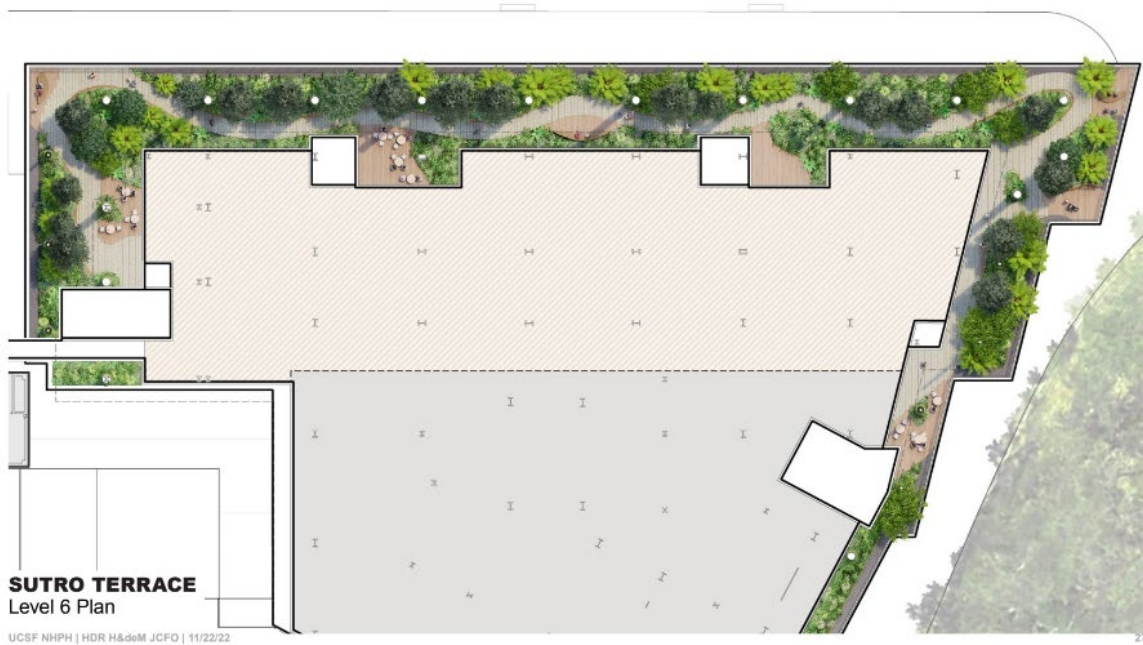


James R. Clark, Ph.D.  
Managing Consulting Arborist

**Appendix E: L6 landscape designs**







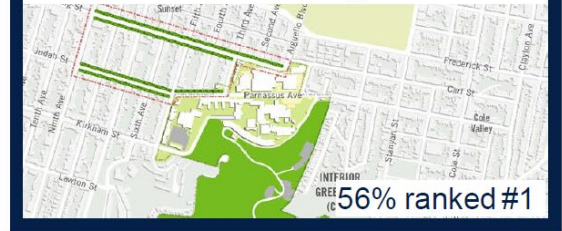
**Appendix F: Community outreach survey result**

Survey Results

A. Green connection to Cole Valley  
(Eastbound Parnassus Ave and/or Carl)



B. Green connection to the Inner Sunset (Westbound Parnassus Ave /Judah and/or Irving)



C. Park to Peak Connection between Golden Gate Park and Mount Sutro (Arguello Blvd, 2nd, 3rd, 4th, and/or 5th Ave)



D. Screening Parking Garage on Hillway Ave (Between Carl and Parnassus)









# PUBLIC COMMENT

**From:** [Laura Pasternack](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Subject:** Appeal no 22-079  
**Date:** Friday, November 25, 2022 8:19:54 PM

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

To Whom It May Concern,

While I am in favor of demolishing the existing hospital building, I would like more information on the removal and replacement of the 28th St. trees. I have noticed quite an extensive reduction in the trees behind 505 Parnassus and feel UCSF is not doing it's due diligence to the little forest we have in San Francisco. My request is that 56 trees be planted of the same type that will be removed, given the environmental impact the construction will have.

Sincerely,  
Dr. Laura Pasternack



**From:** [SAM HOM](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Subject:** Appeal #22-079----Order # 207226  
**Date:** Saturday, December 3, 2022 3:00:40 PM

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

Hello Board of Appeals Members

My name is Sam Hom owner and manager of 3 of the matured trees of 28 that is subjected for removal along Irving Street corner ---at Arguello;Blvd...

My main complaint is this very act of removing destroying ,butchering 3 very matured trees that enhances and diffuses strong ocean winds and harsh direct sun from my 3-4 storied building at 1299 Arguello Blvd at Irving Street .

My property will be de valued by 15,000 per tree.

15 x 15,000= 45,000.Total to be compensated.

It's going to take 15 to 20 years for the re planted new trees you proposed to provide as replacement .to grow and mature to bring forth the more natural matured ambiance ,and presence and ---

It's capacity to diffuse harsh direct sun light and strong direct impact of Pacific Ocean winds from the corner building.

Please consider to compensate me .

I will not be at the hearing.

Please proceed ....move forward on the requirements to provide health care specific utilities around and near my building.

Please protect me from liabilities may be incurred during your excavation and removal of subject trees and in repaving the sidewalk and my driveway areas.along Irving Street.

Respectfully submitted

Sam Hom  
Owner  
1299 Arguello Blvd#2  
San Francisco,CA 94122



CH8













**From:** [Mary Ann Klipp](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Subject:** UCSF Tree Removal  
**Date:** Monday, December 12, 2022 10:02:00 AM

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

Dear Sirs and Madams,

I think this to be an incredible missed opportunity for UCSF, the Board and Urban Forestry to show their respect for and partnership with the environment in its planning/construction.

To part ways with the decrepit processes of “the bottom dollar” and “time is money” as defining factors is *necessary* in the face of our very real existential crises.

Sometimes it is necessary to “bring to court” this message, delaying the customary business methods, to heighten this need for change.

I implore you all to accept this uncomfortably “imposed” delay graciously, learn from the lessons to be had, and reconfigure decision making, now and in the future.

Please embrace and cooperate with our earth’s environmental and natural gifts in our city’s buildings.

Thank you for your service,

Mary Klipp

Phone #415-648-1954

Sent from my iPad

**From:** [Judy Irving](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Cc:** [Joshua Klipp](#); [Michael Rothmann](#)  
**Subject:** Agenda item 4 -- Appeal of UCSF plan to destroy mature street trees to make way for construction  
**Date:** Monday, December 12, 2022 11:41:01 AM

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

Dear Board of Appeals,

How does it feel to have no clout? No matter what you say, plans continue to be made between developers and the Bureau of Urban Forestry to destroy healthy, mature street trees for construction. And it's about to happen again, unless you uphold Josh Klipp's appeal, which has broad support in the community.

I have experience with that feeling of powerlessness. Years ago, still naive regarding city politics, I appealed the removal of healthy, mature street trees in North Beach on behalf of the Telegraph Hill Dwellers, but we were brushed aside because of construction priorities. This, despite the fact that we presented a certified arborist's report describing how the trees could be preserved during and after construction.

Chris Buck, BUF's Urban Forester, claims that trees are never removed for construction purposes. My experience is that they are ALWAYS removed for construction purposes. BUF regularly prioritizes construction needs over healthy trees. Developers' vague promises to plant new trees are unenforceable and quickly forgotten. You must be aware of all this by now, having seen your own orders ignored.

Our urban forest canopy is shrinking, not growing. This, despite our city's avowed "climate emergency" and our idealistic plan to plant thousands of new street trees by 2023.

Continued deforestation of our city has to stop. How? It stops when you take a much stronger stand than you've taken in the past.

Thank you in advance for calling a halt to these public/private political shenanigans by emphatically denying UCSF's (and BUF's) plan to destroy 28 city street trees.

Regards,

Judy Irving

producer/director  
"The Wild Parrots of Telegraph Hill"  
(birds need trees too)

Telegraph Hill Dwellers  
Pelican Media

**From:** [Steve Ward](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Subject:** 12/14, 5pm, my appeal of UCSF's effort to remove 28 street trees  
**Date:** Monday, December 12, 2022 2:08:25 PM

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

This Wednesday, 12/14, 5pm, on the appeal of UCSF's effort to remove 28 street trees (including many large, healthy trees e.g. Monterey Cypress and New Zealand Christmas Trees) . We cannot continue to raze our paltry urban canopy simply for maximum square footage A permanent removal of needed animal environment, air purification and temperature modulation is yet another degradation of San Franciscan life quality.

Steve Ward  
SF Lifer/ Resident Voter/ 2and Gen.

**From:** [Maggie Grabmeier](#)  
**To:** [BoardofAppeals \(PAB\)](#)  
**Subject:** UCSF tree removal hearing  
**Date:** Monday, December 12, 2022 7:51:33 PM

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

Hello Board of Appeals,

My name is Maggie Grabmeier, and I am a resident of San Francisco's Mission District and a Mission Verde volunteer. I wanted to send an email to oppose the removal of trees at UCSF that will be discussed at Wednesday's hearing. As someone who dedicates my time and efforts each week watering sidewalk trees to preserve the city's urban canopy (which is one of the worst in the country), it is so disheartening to see trees time and time again be deprioritized and devalued. Healthy older trees are so important to the health of the city, and I hope that you'll reconsider the tree removals and find solutions that protect the few healthy trees we have left!

Thank you,

Maggie Grabmeier  
1301 York Street  
San Francisco, CA