



Urban Forestry

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February 12, 2024

Appeal No. 22-079 / Klipp vs. UCSF/Parnassus & SFPW-BUF

RE: annual update on tree removal permit mitigations

President Lopez and Commissioners:

The Bureau of Urban Forestry within Public Works and permit holder UCSF/Parnassus Heights committed to providing an annual update to the Board of Appeals regarding the tree removal mitigations that were a condition of the Notice of Decision on Appeal 22-079, filed by Josh Klipp. Attached is a copy of the Notice of Decision issued on 2/22/2023 by Board of Appeals and a copy of Tree Removal permit no. 792615 issued by Public Works to UCSF on 2/27/2023.

During public comment last month, Mr. Klipp noted that the first year was coming to a close and that it was time for the annual update on the mitigations. Enclosed is our update for this year. I have included within the body of this letter, the email update Public Works received from UCSF. Both Public Works and UCSF are on track with meeting the tree removal mitigations.

Public Works has received the payment of \$242,000.00 from UCSF and is on track to be in contract with a planting contractor within 18 months of February, 2023.

We have received the following update from UCSF this month:

- **In lieu fee:** \$242,000 was paid to Public Works on 2/16/2023
- **42 neighborhood street trees:** Over the summer 2023, Friends of the Urban Forest was the community organization chosen to lead the Greening Parnassus Heights Initiative, which will plant 42 street trees in the neighborhoods surrounding the Parnassus Campus. Since then, they have been working with the neighborhood to identify viable tree basin locations and a community meeting was held on 1/11/2024 outlining the process and plans for the tree plantings. The tree planting day is set for 2/24/2024. After the trees are planted, UCSF will be paying for the first three years of tree maintenance.
- **14 Parnassus Ave street trees:** In February the project team will be submitting 100% Design Documents for NHPH Site Improvement Permit for Parnassus Avenue, these plans include the 14 new trees that will be planted at the sidewalk in front of NHPH upon completion of construction in 2030.

The above information was pulled from the email that follows on the next page, for reference.

Both agencies are committed to the mitigations outlined in the Notice of Decision and we believe year-one progress demonstrates this commitment. We will consider a better updating format for next year's progress report, to make it easier to track progress.

Respectfully,



Chris Buck

Urban Forester

From: Drexler, Jaclyn <Jaclyn.Drexler@ucsf.edu>

Sent: Friday, February 2, 2024 12:53 PM

To: Buck, Chris (DPW) <Chris.Buck@sfdpw.org>

Cc: Ellis, Abby (UCSF) <Abigail.Ellis@ucsf.edu>; Vaisset-Fauvel, Morgan (UCSF) <Morgan.Vaisset-Fauvel@ucsf.edu>; Buckley, Christine (UCSF) <Christine.Buckley@ucsf.edu>; Nawbary, Susan (DPW) <susan.nawbary@sfdpw.org>

Subject: RE: Sending an annual updated on progress

Hello Chris,

Following-up on Morgan's email below, here are the updates for the UCSF/Parnassus Tree removal mitigations:

- **In lieu fee:** \$242,000 was paid on 2/16/23
- **42 neighborhood street trees:** Over the summer, Friends of the Urban Forest was the community organization chosen to lead the Greening Parnassus Heights Initiative, which will plant 42 street trees in the neighborhoods surrounding the Parnassus Campus. Since then, they have working with the neighborhood to identify viable tree wells and a community meeting was held on 1/11/24 outlining the process and plans for the tree plantings. The tree planting day is set for 2/24/24. After the trees are planted, UCSF will be paying for the first three years of tree maintenance.
- **14 Parnassus Ave street trees:** In February the project team will be submitting 100% Design Documents for NHPH Site Improvement Permit for Parnassus Avenue, these plans include the 14 new trees that will be planted at the sidewalk in front of NHPH upon completion of construction in 2030.

Please let us know if you have any questions or would like to discuss further.

Thank you,

Jaclyn Drexler

Associate Director, Community Relations

UCSF Office of Community & Government Relations

University of California, San Francisco

490 Illinois Street, Floor 11, Box 0462 | San Francisco, CA 94143

tel: 628.278.1030 jaclyn.drexler@ucsf.edu



City and County of San Francisco
San Francisco Public Works · Bureau of Urban Forestry

49 South Van Ness Ave, Suite 1000 • San Francisco, CA 94103
sfpublicworks.org · tel 628-652-8733

PERMIT FOR PLANTING, MAINTENANCE OR REMOVAL OF SIDEWALK TREES

Pursuant to the provisions of Article 16, Sec. 806 of the Public Works Code, as amended, permission is hereby granted to:

Helath Major Capitol Projects
UCSF Real Estate C/O Christine Buckley ICDC
500 Parnassus Ave # MU P5
San Francisco CA 94118

This permit specifically grants permission for:

Permit Remove Tree - 3 - *Arbutus unedo* :: Strawberry Tree
Permit Remove Tree - 1 - *Crataegus laevigata* :: English Hawthorn
Permit Remove Tree - 8 - *Cupressus macrocarpa* :: Monterey Cypress
Permit Remove Tree - 16 - *Metrosideros excelsa* :: New Zealand Xmas Tree

on the sidewalk adjacent to the premises at:

401 Parnassus Ave

Permittee agrees to hold harmless the City and County of San Francisco, its officers, agents and employees from any damage or injury caused by reason of the planting or the placement or maintenance of the planter plants. The owner or owners of the respective property shall be solely liable for any damage. Per Article 16: Section 806.5.(b).(1) all work associated with a street tree permit must be completed within six (6) months of issuance, unless an extension has been granted by the Department. This permit must be on site when permission has been granted for removal of a street tree. If a tree species is not specified above, please contact Bureau of Urban Forestry to discuss an appropriate and approved species to plant.

Special Conditions: PURSUANT TO § 4.106 of the Charter of the City & County of San Francisco, the Board of Appeals hereby GRANTS THE APPEAL AND ORDERS that the ISSUANCE of the subject determination by the San Francisco Public Works, Bureau of Urban Forestry is UPHELD on the CONDITION it be revised to require the adoption of the Tree Replacement Plan, dated February 2, 2023, that was submitted for the hearing. This order was made based on UCSF's commitment to plant trees for the City. The Board further requested that BUF report back to the Board annually about the progress of the planting until the completion of the project. 14 Street trees along Parnassus Avenue, 42 Street trees off-site in Parnassus Heights neighborhood, for a total of fifty-six (56) new street trees to be planted to mitigate removal of the twenty-eight (28) street trees. Additional trees to be planted by the City following payment by UC of in-lieu fee of \$242,000. Please refer to attached Notice of Decision for Appeal No. 22-079 for full conditions.

Date Issued: 2/27/2023

Permit No: 792615

Approved:

Director, Department of Public Works

Chris Buck, Urban Forester

Bureau of Urban Forestry



AFFIDAVIT OF SERVICE

Joshua Klipp, Appellant(s)
884 Kansas Street
San Francisco, CA 94107

I, Alec Longaway, Legal Assistant for the Board of Appeals, hereby certify that on this **22nd** day of **February 2023**, I served the attached **Notice of Decision** for **Appeal No. 22-079, film vs. San Francisco Public Works, Bureau of Urban Forestry**, subject property at **401 Parnassus Avenue**, on the appellant(s) via email to: ioshuaklipp@gmail.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in San Francisco, California.

February 22, 2023
Date



Alec Longaway

cc: Chris Buck, Urban Forester
San Francisco Public Works, Bureau of Urban Forestry
chris.buck@sfdpw.org

OTHER PARTIES
OR CONCERNED CITIZENS:

UCSF, Determination Holder(s)
c/o Charles Olson, Attorney for Determination Holder(s)
Lubin, Olson & Niewiadomski, LLP
600 Montgomery Street, 14th Floor, San Francisco, CA 94111
colson@lubinolson.com



BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
JOSHUA KLIPP,

Appeal No. **22-079**

Appellant(s)

vs.

SAN FRANCISCO PUBLIC WORKS,
BUREAU OF URBAN FORESTRY,

Respondent

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.

APPLICATION NO. 207226

FOR HEARING ON February 8, 2023

Address of Appellant(s):

Address of Other Parties:

Joshua Klipp, Appellant(s)
884 Kansas Street
San Francisco, CA 94107

Morgan UCSF Parnassus Campus, Determination
Holder(s)
c/o Charles Olson, Attorney for Determination Holder(s)
Lubin, Olson & Niewiadomski, LLP
600 Montgomery Street, 14th Floor, San Francisco, CA
94111

NOTICE OF DECISION & ORDER

The hearing on the aforementioned matter came before the Board of Appeals of the City & County of San Francisco on February 8, 2023.

PURSUANT TO § 4.106 of the Charter of the City & County of San Francisco and Article 1, §14 of the Business & Tax Regulations Code of the said City & County, and the action above stated, the Board of Appeals hereby **GRANTS THE APPEAL AND ORDERS** that the **ISSUANCE** of the subject determination by the San Francisco Public Works, Bureau of Urban Forestry is **UPHELD** on the **CONDITION** it be revised to require the adoption of the Tree Replacement Plan, dated February 2, 2023, that was submitted for the hearing (attached). This order was made based on UCSF's commitment to plant trees for the City. The Board further requested that BUF report back to the Board annually about the progress of the planting until the completion of the project.

BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO

Last Day to Request Rehearing: February 21, 2023
Rehearing Request: None.
Rehearing: None.
Notice Released: February 22, 2023



Rick Swig, President



Julie Rosenberg, Executive Director

If this decision is subject to review under Code of Civil Procedure § 1094.5, then the time within which judicial review must be sought is governed by California Code of Civil Procedure, §1094.6.

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.

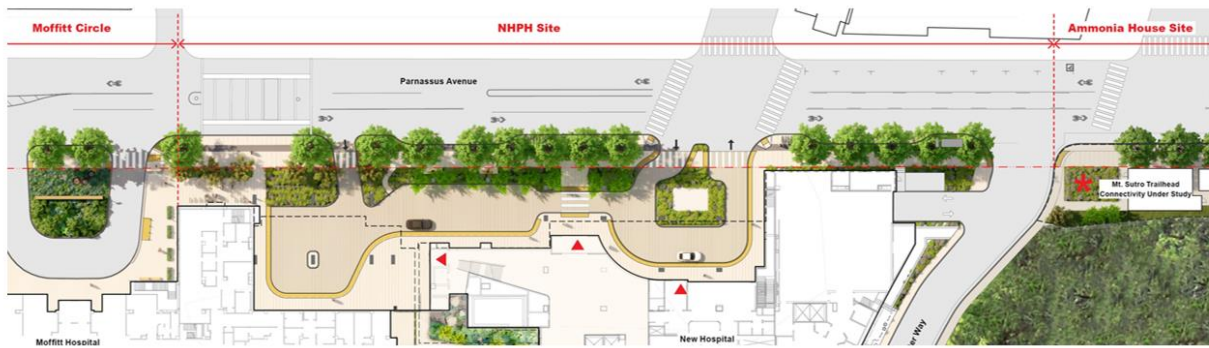
The following sections outline the implementation processes for each component of the Plan, including roles and timeframes, with the goal of contributing to greener, healthier neighborhoods.

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
	Total	98
Additional trees to be planted by the City following payment by UC of in-lieu fee of \$242,000		105
	Updated Total	203

- 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.¹
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.

¹ 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.