

**SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY**

**SFMTA HEARING SECTION**

**PUBLIC HEARING REGARDING 16<sup>TH</sup> STREET IMPROVEMENT PROJECT**

**ISSUE PRESENTED: The Proposed Removal of 18 Trees along 16<sup>th</sup> Street to Facilitate Replacement Trees and Shrubs between 2400 16<sup>th</sup> Street and 3312 16<sup>th</sup> Street**

**STATEMENT OF DECISION**

This office held a public hearing on December 2, 2021, at 2:00 pm via video conference to consider the proposal by SFMTA and the Dept. of Public Works in conjunction with the Bureau of Urban Forestry (collectively hereafter as the SFMTA) to remove a total of 18 specifically identified trees from their locations on 16<sup>th</sup> St. in San Francisco, between 2400 16<sup>th</sup> St. and 3400 16<sup>th</sup> St.

This hearing was conducted following the required posted notices and media-listed public communication of the date and time of the hearing, in compliance with the applicable provisions and required timelines found in the Public Works Code relied upon by the city's Department of Public Works ("DPW"). Local parties who have long-standing general concerns about proposed tree removals in San Francisco were informed in advance of the hearing by electronic mail, and online public participation and comment was made available during the hearing, and comments from the public were received during and afterwards, via email and by telephone.

**I. INTENTIONS OF 16 STREET IMPROVEMENT PROJECT REMOVALS**

The SFMTA's 16<sup>th</sup> Street Improvement Project generally intends that the removal of the selected trees, and the replacement flora and design will, along with the planned transit only lanes, transit bulbs and streetscape amenities, improve transit movement and transit times for the 22 Fillmore metro line, as well as meet current and future needs of the 16<sup>th</sup> St. neighborhood in general. Approximately 100 new (but significantly smaller) trees are planned to be installed on 16<sup>th</sup> St. between Church St. and Potrero Ave.

At the hearing, the SFMTA's tree removal proposal was presented by Steven Keller a certified arborist from the City's DPW. I understand that the SFMTA has in this instance relied upon the judgment of City arborists to develop the evaluation of the trees along 16<sup>th</sup> St. in terms of their condition, health and ability to blend with the intended physical improvements along 16<sup>th</sup> St. in the block locations indicated above. In conjunction with its presentation, the SFMTA provided photos of each tree slated for removal, along with a tree condition assessment spreadsheet which identifies the species, health, tree structure and reasons for each proposed removal.<sup>1</sup>

Rather than summarize each of the proposed tree removals as listed on the SFMTA's materials, I will identify each proposal and the reasons for each proposed removal in the Findings below.

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<sup>1</sup> The 16<sup>th</sup> St. Phase II Tree Condition Assessment spreadsheet is attached to this Decision as exhibit 1

## II. PUBLIC COMMENT

In response to the SFMTA's tree removal proposals for this location, our office have received a number of comments from members of the 16<sup>th</sup> St. community, and some from a broader canvas of the public in general who have taken issue with the current removal plans for 16<sup>th</sup> St.

These comments underscore the advantages of having mature trees around us, helping clean the environment and creating canopies of increased quiet, adding to cooling and shading in summer, and sheltering from the elements in winter. Small varieties of Jacaranda and Magnolia as replacements cannot duplicate those qualities until decades from now, assuming that they thrive. In addition, we have received certain described sentiments that value a landscape that includes lofted branches that rise above both people and their vehicles, conferring a certain comforting environmental charm which also cannot be duplicated for years and years.

In terms of the utility of the tree trimming recommended here, the wild disarray we now see in some of the 16<sup>th</sup> St. Ficus trees does not need to be perpetuated. One has only to observe the elegant line of Ficus trees on 11<sup>th</sup> St., between Market and Mission, to realize how capably this species can be trimmed and preserved in a natural harmony with their surroundings for years to come.

Comments we have received from the public for this hearing have included photographic examples of many newly planted trees that have not done well. The SFMTA might anticipate that the planned installation of over 100 new trees eventually promises to add character and charm to the 16<sup>th</sup> St. corridor, but we have no assurances of that. It seems to make sense to hold off on some of the proposed removals until we see encouraging growth in a significant number of the new planted trees.

## III. FINDINGS

1. Under the San Francisco Charter, the SFMTA has exclusive authority over certain transportation-related functions, including provisions related to tree removal proposals as they relate to transportation planning. [See generally, SF Charter, §§ 8A.101(d), 8A.102(b).] In following the substantive tree removal provisions of Article 16 of the Public Works Code, the SFMTA is responsible for conducting hearings that may involve objections filed against the SFMTA's tree removal proposals that pertain to its transportation planning and associated projects.
2. Taken in the order presented by the SFMTA, the first proposed removal (identified as Site 1) involves a Black Locust situated at 2400 16<sup>th</sup> St. The health is labelled as "poor," and the photos and my onsite review of this individual tree confirms that condition. The tree in Site 1 should be removed and replaced as intended by the design of the Improvement Project.
3. The Black Locust in Site 2 has also been proposed for removal, although its condition is listed as "fair." Given the arborist's assessment that expects a decline of health of this specimen similar to the decline observed in the adjacent trees of the same species, I find that this Black Locust should be removed as long as it is replaced.
4. The three Black Locusts listed as Site 3, 4 and 5 in the 2400 block of 16<sup>th</sup> St. are also listed in poor condition, and the one in Site 4 is apparently dead. These should be removed and replaced as proposed.
5. The Ficus listed as situated at 2757 16<sup>th</sup> St. is deemed to be in "good" health, but with a "poor" structure. I find that instead of its removal, it should be preserved for the time being, with necessary

trimming of its outward growth in both the north and south directions. The canopy of this Ficus adds to the charm of 16<sup>th</sup> St., and should be considered for removal only after the replacement trees in this block mature over time.

6. The Ficus listed at 2765 16<sup>th</sup> St. also is observed to be in “good” health, but with a “poor” structure—one that is situated above a sewer line. I find that this Ficus may be removed, as long as it is replaced with a specimen that is not likely to interfere with the City’s sewer line in this location.

7. The *Metrosideros Excelsa* located at 2940 16<sup>th</sup> St. is listed as in “good” health, but also with a “poor” structure. The structure is definitely poor, and its growth may continue to interfere with the traffic light at the intersection. Accordingly, it should be removed, perhaps without any intended replacement considering its corner location.

8. The *Pittosporum Undulatum* at 3020 16<sup>th</sup> St. is in obviously poor condition and poor structure. I find that it should be removed and replaced as proposed.

9. The Chinese Elm at 3027 16<sup>th</sup> St. is also deemed to be in “poor” health (apparently due to a *Stegophora* infection) and of “poor” structure. I find that it should be removed and replaced as proposed.

10. The Ficus situated at 3120 16<sup>th</sup> St. is deemed to be in “good” health, but with a “poor” structure. Instead of its removal, I find that it should be preserved in this location by trimming its branches, both to the north and to the south, so that overhead Muni lines are not interfered with by its top growth. To the extent that further observations of this specimen reveal that it may be susceptible to “catastrophic failure,” it should be reviewed for removal on that basis and at that those later times. In the meantime, any interference with street lighting at this location could be handled by means of supplemental lighting.

11. The Ficus down the block at 3159 16<sup>th</sup> St. also is listed as having a “poor” structure (“trunk defect”). I find that it may be removed and replaced as proposed.

12. The Ficus situated at 3174 16<sup>th</sup> St. is observed as having “fair” health and “fair” structure. I find that it should be trimmed to the north and south instead of being removed. Any interference by its canopy with street lighting should be handled by supplemental lighting in that area, possibly by lowering the lighting, or trimming and pruning in order to open up the canopy.

13. There are two Ficus trees situated at 3214 16<sup>th</sup> St., both deemed to be in “fair” health, but of “poor” structure. I find that the one to the left (when facing) may be trimmed to help preserve the appearance of 16<sup>th</sup> St. and its charm in that vicinity. The Ficus to the right (when facing) seems to have been overly trimmed in the past, resulting in an odd branch structure and stems. I find that that particular Ficus may be removed and replaced as proposed.

14. The Ficus located at 3233 16<sup>th</sup> St. has developed extremely large “scaffold” branch structures which are deemed to create a high risk of failure. I find that the proposal to remove and replace this specimen is appropriate, unless there is a reasonable chance to save this specimen through judicious pruning of the scaffold structure.

15. The Ficus situated at 3241 (or 3245) 16<sup>th</sup> St. is listed in “good” condition, but with “poor” structure. I find that it should be saved by trimming, with perhaps the removal of the large scaffold branch that supports 1/3 of the canopy. The tree seems capable of being trimmed similar to the trees directly across the street.

16. Finally, the Pyrus Calleryana at 3310 16<sup>th</sup> St. apparently has fire blight and should be removed and replaced as proposed.

#### **IV. DECISION AND ORDER**

After a thorough consideration of the SFMTA's presentation of this proposal, the review of all of the exhibits, and after reviewing the comments received from the public, all of which I have accepted into evidence, I approve of the SFMTA's proposal to remove those specimen trees, as identified in the Findings above, and those removals are so Ordered.

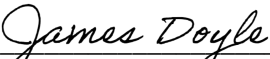
In conjunction with the proposed removal project, I also Order that the trees slated to be preserved in this Decision by means of trimming, should be regularly and skillfully trimmed, relying perhaps upon the style of trimming found on the Ficus trees on 11<sup>th</sup> St., between Market and Mission.

This Decision pertaining to the trees proposed and agreed to be removed on 16<sup>th</sup> St. is conditioned upon the SFMTA's plans to effectively replace the removed specimens with a considerable number of new trees along 16<sup>th</sup> St. If the Improvement Project is to succeed in that respect, the undersigned assumes that maintenance and watering of the new trees (as well as those already located on 16<sup>th</sup> St.) will be regularly conducted so that they thrive into maturity. As any of those plantings do not survive or grow poorly, they should be replaced by the SFMTA without the need of further notices and hearings.

The maintenance of any of these replacement and other trees for this Improvement Project is ordered to continue for a minimum of 3 years, to include adequate watering, and the regular feeding of nutrients, if feasible, and is to require the use of sufficiently sized tree boxes that tend to encourage growth.

**It is so Ordered.**

Dated this 22d day of December, 2021,

  
James Doyle, Hearing Officer and Acting Manager  
SFMTA Hearing Section

#### **TO APPEAL**

This Order may be appealed by contacting Kate Toran, Director of Taxi and Accessible Services at the SFMTA, within 30 days from the date of this Order.