

**39<sup>th</sup> & Clement Tree Removal Hearing**  
**February 10, 2022**

Recording function unavailable on host zoom account. Notes taken to capture meeting in lieu.

Attendees:

SFPUC

Nancy Hom, Hearing Officer  
Steve Kech, Public Relations Officer  
Nina Negusse, Public Information Officer  
Barbara Palacios, Sr. Engineer

Public

Lee Heidhues  
Elizabeth Heidhues  
Josh Klipp  
John Nulty

[meeting began 11:02AM]

Introductions of all Attendees.

11:07 Powerpoint Presentation by Barbara Palacios (BP) detailing project context, scope of work in the area at the intersection of 39<sup>th</sup> & Clement.

Questions

Nancy Hom (NH) raised clarifying question re: whether or not SFPUC intends to replant a tree in the same spot.

BP response: No. SFPUC intends to pay the in lieu fee to replace a tree at a location TBD by Public Works

Elizabeth Heidhues (EH) asked why we are not replanting in the same location after tree removal.

BP clarified the SFPUC cannot replant over our pipelines. Replanting location is done at the discretion of and locations are determined by Public Works.

11:14 Verbal statement of opposition to tree removal by Elizabeth Heidhues (EH) and Lee Heidhues (LH)  
Key items raised in their statement, echoing the initial statement of protest formally submitted prior to this hearing:

- Concern that tree removal will further contribute to area pollution from cars and traffic
- Advocating for the beauty the tree provides and claim that mourning doves nest in the tree
- Concern that the tree loss will impact the 'natural forest canopy' of the area
- Questioning why this precise location
- Questioning why the SFPUC cannot find a work around
- Claim that mitigation could be found if more work was done to prevent tree loss
- Questioning the general use of the golf course and why SFPUC has to provide water to the course
- Expressed belief that providing water to the course, even recycled water, is not environmentally conscious choice
- Expressed belief that more emphasis should be placed on planting trees rather than supplying water to golf course and removing trees to facilitate that supply.

- Course is inaccessible to the public and this is a public good being used to provide water to an elite group that use the course, and public trees should not be sacrificed to provide water for this purpose/population.

Nancy Hom (NH) redirected to SFPUC Response.

Barbara Palacios response: There is no work around because of the location of the booster pump station which is already in place and existing pipelines in the area which have already been laid.

Question (LH): Is this a budgetary decision or is this structural?

BP Response: There is no clear corridor for this work along this street that wouldn't impact other trees.

Question (EH): Can a replacement tree be planted in the vicinity even if not in the same spot? Is it possible to ensure there's a similar tree nearby?

Statement (LH): Dept of Public Works' new head is formerly from Bureau of Urban Forestry (BUF), surely the City could guarantee or commit to replanting in the area.

BP Response: Clarified the SFPUC's separation from DPW/BUF. Clarified that SFPUC has no authority to tell another department what to do.

Statement(LH): Asked for a verbal commitment that SFPUC will reach out to BUF.

BP Response: Requested that either Nancy Hom (NH) or Nina Negusse (NN) communicate with DPW/BUF

NH Statement: This is a good opportunity of future collaboration across the SFPUC and other city departments on this issue. This is a fairly new process of holding tree removal hearings for our infrastructure projects, and more work can be done for future removals and hearings. As far as this hearing is concerned, we are committing to paying the in lieu fee to replace the tree following its removal, but we cannot guarantee its location.

[meeting ended and automatically restarted at 11:38AM]

Apologies and explanation of mistaken end and restart. All attendees rejoined meeting.

NH Redirected meeting to general public comment, at 2 minutes each.

Josh Klipp (JK) Statement:

- Questioned the validity of the hearing in the absence of a recording
- Thanked Elizabeth Heidhues and Lee Heidhues for opposing this removal
- Requested that the SFPUC:
  - Find another way to complete this project without removing trees
  - Replace this tree following removal in the same area, should a decision be made to remove it
  - Implement tree mitigation practices using biomass, which he offered to explain to SFPUC staff.

John Nulty (JN) Statement:

- Advocated for moving the pipeline to the right of the tree
- Expressed belief that we shouldn't be watering golf courses in a climate crisis
- Expressed upset that we are removing the tree without promising to replant it or another like it in the same location.

NH Redirected to close the meeting. Thanked all participants. Stated that a decision will be provided once one has been reached.

LH Asked if all attendees would be provided with meeting notes and the formal decision letter.

JK stated that he put his contact info in the meeting chat and that he would like the meeting notes.

NN stated to all attendees that as long as their info is registered either with her or in the chat, all would be provided notes.

JN provided his info in the chat.

[meeting ended at 11:48AM]