

Sonoma County Parks  
and Recreation Advisory  
Commission

Submitted by:  
Planning Division

Informational

Action

Commission Meeting Date: July 21, 2008

Deadline:

Agenda Title: Kenwood Plaza Park Signature Valley Oak

### Executive Summary

For nearly two years Regional Parks has been working with the community to resolve the issue of public safety and resource protection in respect to an ancient Valley Oak (*Quercus lobata*) that is a central focal point of Kenwood Plaza Park.

The arborist's report stated this tree was "in good health with fair vitality, based on the density, size and color of foliage. No significant pest or decline symptoms were observed." The report goes on to state that the "structural integrity is highly compromised by old wounds and decay, as well as by a large, recent crack in a major lateral limb." To summarize, the tree is still healthy and vital, but has structural problems that create a public safety issue.

The public has been given several opportunities to express their opinions and concerns regarding this issue, including a Park and Recreation Advisory Commission (PRAC) meeting held on February 25, 2008. This meeting was followed by an informal poll of local residents and subscriber's sponsored by the Kenwood Press between March and June of this year, and comment cards filled out by residents who attended the July 4<sup>th</sup> celebration in the park.

Based on the public comments from the February 25 PRAC meeting, the poll by the Kenwood Press, and the July 4<sup>th</sup> comment cards, the community is closely split between the desire to remove or preserve the tree. During the Kenwood Press poll thirty-nine responses were received. Seventeen individuals support the removal of the tree (44%), while twenty-two individuals support the preservation of the tree (56%). The July 4<sup>th</sup> celebration yielded fifty comment card responses with twenty-three individuals that support removal of the tree (46%), and twenty-seven that support preserving the tree (54%).

The main reason cited by those who support the removal of the tree is public safety. The argument is that parks should be safe places for people to interact and children to play, and that the tree in its current state poses a significant hazard. Individuals expressed concerns that a fence installed around the dripline of the tree would not be adequate to protect the public in the event that a major branch or the entire tree fell. Many of these individuals also see the area where the tree stands as an ideal location for the placement of a gazebo to support community events. Regional Parks supports the construction of a gazebo for community events at the location shown on the master plan in the northeast corner of the park. This location does not conflict with the preservation of the tree.

The reasons stated for preserving the tree are its intrinsic cultural and biotic resource values. According to a recent oak survey in the Sonoma Valley area, there are only about 210 trees of this variety and stature that remain. This tree was the 19<sup>th</sup> largest in the entire valley, and the 3<sup>rd</sup> largest in the Kenwood area. In this survey, trees were designated as heritage status if their diameter was 42" or greater, and they existed prior to the founding of Sonoma Mission in 1823. Valley Oaks were part of the historical landscape of Sonoma Valley long before human impacts associated with grazing, agriculture, and building began to impact the range and numbers of heritage status trees. This particular tree is estimated to be between 250 to 300 years old, and has been present in the park long before California's mission era. The tree also provides significant habitat for a variety of plants and animals.

The size of this tree and its status as a tree of special significance by the Permit and Resource Management Department guidelines under Chapter 26 of the Sonoma County Zoning Regulations, Articles 67 and 88, qualifies it for special protection and heritage or landmark tree status under Chapter 26D (see attached County Code sections). These codes have been approved by the Board of Supervisors to address the impacts to this native species as a result of development in the Sonoma Valley area, and impose mitigation measures to replace lost trees, or assess fees to offset the impacts. Unfortunately these zoning regulations do not go far enough to protect these trees from private development, and so the need to protect them on public owned land becomes increasingly more important.

Our mission statement is:

*"Sonoma County Regional Parks Department leads in the preservation, conservation, restoration and promotion of natural, scenic, historical, and cultural resources in Sonoma County. We provide recreational, educational, social, and cultural opportunities for the public."*

Although our mission statement does not specifically mention public safety, it is inherently understood that we are committed to providing safe public places for people to use and enjoy. From a legal standpoint, we are liable to protect the public using our parks, especially when a known potential safety problem exists. For this reason we met with the risk manager at the park to assess the potential liability issues associated with this tree, and to devise measures to protect the safety of the public we serve. The Risk Manager supported the preservation of the tree, helped to develop the mitigation measures, and is in concurrence with our recommendations.

We are also committed to the preservation of the natural and historical resources of Sonoma County, and to providing recreational and educational opportunities to the public. We are stewards of the lands we operate and maintain for the public in perpetuity, and we take this responsibility very seriously as well.

## Staff Recommendation

Based on the opinion of our risk manager, expressed public sentiment and concerns, and the stated mission of our department, staff is recommending the following measures be implemented to preserve the tree, protect public safety, and to educate the public on the trees historical significance and natural resource values:

1. An ornamental fence of wrought iron shall be installed on the inside of the mow curb and concrete path around the tree. This is the approximate dripline of the tree. The cost of the fencing will be dependent on the height, but is estimated at \$15,000 to \$18,000.
2. Small Valley Oak seedlings grown from the acorns of this ancient tree will be planted within the fenced area to replace this tree when it finally succumbs to age. We will also promote restoration efforts by local non-profits and other agencies by providing seedlings for planting in the area.
3. Signs shall be posted on the fence with the following language “Oak Restoration in Progress – Please Respect the Resource and Stay Out of the Fenced Area”
4. Community activities and events approved under special use permits will be conditioned to exclude booths, tables, and other concentrated activities around the perimeter of the ornamental fence.
5. An interpretive panel will be developed and installed at the site to tell the “story of the tree” to the public. It will include information on the tree’s historical and cultural significance, aesthetic and biotic resource values, and the need for protection and restoration. The cost for developing and fabricating the interpretive panel is estimated to be \$1,500 to \$2,000.
6. The tree will be evaluated on a bi-annual basis or as needed by a qualified arborist and a report prepared. The report shall identify any new significant issues or changes, and shall prescribe pruning and other tree care maintenance as needed. The arborist shall then work with Park staff and a licensed tree surgeon to perform the tree maintenance. If the trees condition worsens and the arborist recommends removal, we would then proceed to perform the necessary work to protect public safety. The cost of biannual arborist reports and tree maintenance is estimated to be \$1,100.

The position of County staff is that by implementing the recommended measures as identified, we can protect public safety, while preserving this heritage status tree and educating the public on the significance of this natural and cultural resource.

## Requested Commission Action

Approve staff recommendations regarding the preservation of the Kenwood Plaza Park Valley Oak.

### Alternatives/Consequences:

Remove the tree or risk potential public safety issues.

## Attachments

Sonoma County Zoning Code – Chapter 26  
Article 67, Section 26-67 Valley Oak Habitat Combining District  
Article 88, Section 26-88-010 (m) Tree Protection Ordinance  
Chapter 26D – Heritage or Landmark Trees

Ornamental Fence - Site Plan & Elevation Drawings

Kenwood Plaza Park Master Plan