The Draft Environmental Impact Report (DEIR) fails to address extensive tree removal analyses that were in the Town files. The omission of tree removal data is one illustration of the inadequacy of the DEIR.

The only statement in the DEIR related to trees is an unsubstantiated comment: “The proposed development … would result in the removal of an unknown but substantial number of trees, some of which may qualify as “Significant Trees” under the Town’s Municipal Code.” Page 7-40 (emphasis added.) This statement is flat out inaccurate. The DEIR, after omitting relevant tree information, goes on to say the impact of the removal of a “substantial number of trees” is less than significant, but that the Wedge will comply with the Town’s significant tree ordinance. This text in the DEIR is inaccurate and nowhere in the entire DEIR, including the lengthy appendices, is any information provided as to the type, age, or numbers of trees to be removed or impacted.

The DEIR withheld and ignored extensive data found in Town records, much of it submitted by Stanford for the ASCC application. The failure of DEIR to include extensive data and to accurately describe the proposed project’s impact on trees results in two adverse consequences under CEQA. First, the DEIR, by failing to provide information about the removal of trees, failed to correctly evaluate the environmental impact of tree removal and fails to meaningfully determine whether removing so many trees is a significant impact. Consequently, the DEIR also failed to provide mitigation for the substantial tree loss. Secondly, the DEIR by failing to provide detailed information about the removal of trees, literally deprived citizens of their right to provide public comment on this topic.

Our neighbor, Valerie Baldwin, in her public comment letter, found extensive tree data that was ignored and omitted from the DEIR. Ironically, many of the tree studies were in Town of Portola Valley files. Valerie found that the trees at the Wedge property had been extensively studied annually for about five years, and that each tree has been tagged and uniquely identified as part of the studies. A detailed tree map was created by Sandis Civil Engineering and presented in an ASCC resubmittal on July 16, 2020. Sandis had conducted three surveys of the trees at the location of the proposed project: (a) August 20, 2019, which showed 112 tagged trees for removal; (b) July 16, 2020, which shows a map of tree locations and lists 124 tagged trees for removal; and (c) November 10, 2020, which showed 177 trees tagged for removal. Hort Sciences/Bartlett Consulting did a fourth tree survey on June 11, 2020, again showing 177 trees to be removed.
There is no indication of why so many surveys were done, but again, not one of these studies was included in or referenced by the DEIR. Ms. Baldwin’s review of these studies indicate that the surveys may not even be comprehensive as the lists of the trees impacted or marked for removal did not include any trees located on the hiking trail or upper access road. Most of the oak woodland is in the lower, flatter portion of the property and by personal knowledge it is known that at least one of these trees may rival the age of the trees at Ford Park – around 350 years old. Although Ms. Baldwin included the results of these numerous studies in her public comment letter, it was the responsibility of the Town as authors of the DEIR to review, analyze and distribute this data.

Whether you oppose or approve of the proposed Wedge project, it is simply irresponsible and misleading to exclude this extensive collection of data from the DEIR and from public view. It is doubly irresponsible because of the vast number of trees to be removed to wit 177. Calling the number of trees to be removed “unknown but substantial” when the Town’s own records indicate that at least 177 trees will be removed is bad enough. In addition, 123 of those 177 trees qualify as significant or heritage trees. Was this omission intentional?

By failing to include the full and complete analysis of the trees and by failing to set forth the precise number of trees to be removed, the analysis and evaluation in the DEIR is imprecise, inaccurate, and unsupported. This conclusion is underscored when you realize they also have not included those additional trees that will be impacted such as trees outside the housing development area or trees whose roots or drip line will be affected.

Had all the studies been included and had the true number of trees and their size, species and age been included it is highly likely that impact would have been deemed significant; and a finding of significance under California Environmental Quality Act (CEQA) would trigger a requirement to include specific mitigation measures. Surely, as Valerie stated in her public comment letter, for the removal of this vast number of trees, including aged and heritage trees, mitigation would, at a minimum, include the replanting of at least 250 to 300 trees – she used a typical formula of replanting 2-3 trees for every heritage tree destroyed. Importantly, by failing to include all the relevant information from past studies in the DEIR, the public was deprived of their rightful opportunity to review and comment upon the environmental impacts of the Wedge project.

Where are we now? The public comment period on the DEIR has closed and this relevant data was omitted from review and disclosure. If the Town proceeds to a Notice of Determination and completion of the CEQA process, it will be doing so knowing of this major failure. The only option for citizens at that point would be to enforce CEQA with a writ of mandamus suit. Unless the Town initiates an additional public comment period and includes the missing data, the public has no other option.

[1] To be accurate, the Vegetation Management Plan included in the DEIR makes a number of assertions about treatment of trees, but it too completely fails to address the number, age, type of trees the project will affect.