

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 04/21/2009 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2009/158

Designation of a Eucalyptus tree located within the town of Knightsen with a trunk diameter of approximately 84-inches in diameter as a heritage tree, County File #HT080001.

WHEREAS, on June 30, 2008 the Knightsen Town Advisory Council (Applicant) filed an application with the Department of Conservation & Development, County File HT080001, to nominate a Eucalyptus tree with a trunk diameter of approximately 84-inches as a heritage tree within the Knightsen area for Heritage Tree status pursuant to the Heritage Tree Preservation District (Chapter 816-4); the trunk of the tree is partially located within the Delta Road right-of-way and partially located on privately owned land (Bartels, #2500 and #2551 Bartels Drive;

WHEREAS, for purposes of compliance with the California Environmental Quality Act (CEQA), staff determined that the proposed action is Categorically Exempt pursuant to CEQA Guidelines §15061(b) 3;

WHEREAS, after notice was issued as required by law, on Monday November 10, 2008 a hearing was scheduled before the East County Regional Planning Commission, at which time all interested persons were afforded the opportunity to provide written and oral testimony on this matter;

WHEREAS, after completing the testimony, the Planning Commission voted (4-1) to recommend that the Board of Supervisors designate the tree as a Heritage Tree, as reported in Planning Commission Resolution 2009-5;

Contact: **Demian Hardman, (925) 335-1318**

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 21, 2009

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Gary Huisingsh, Karen Laws

WHEREAS, after notice was issued as required by law, on Tuesday, April 21, 2009 a hearing on the recommendation of the East County Regional Planning Commission was scheduled before the Board of Supervisors, at which time all interested were afforded the opportunity to testify.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors ("this Board") takes the following actions:

1. APPROVE the recommendation of the East County Regional Planning Commission to DESIGNATE a Eucalyptus tree with a trunk diameter of approximately 84-inches in diameter as a Heritage Tree pursuant to the Heritage Tree Preservation ordinance and
 2. REQUESTING the Knightsen Town Advisory Council to assist in the appropriate marking of the tree on the County right-of-way side of the tree to provide continued public notice of its Heritage Tree Designation status.
 3. ADOPT the finding for purposes of compliance with the California Environmental Quality Act (CEQA), that the project is Categorically Exempt pursuant to CEQA Guidelines §15061(b) 3.
 4. DIRECT the Department of Conservation and Development to post the Notice of Exemption with the County Clerk.
- BE IT FURTHER RESOLVED that the reasons for these recommendations are as follows:

Heritage Tree Findings - The tree is very large exceeding the 72-inch minimum at 84-inches in diameter (approximately 22-feet in circumference). Staff understands that the tree was also planted by the founder of Knightsen thereby giving the tree historical significance. Additionally, the tree is of ecological interest, not for the tree itself, but for the protected hawks that reside in the tree as verified by a biologist. As a result of the size, age, historical value and ecological significance, the Eucalyptus tree meets the required criteria to be nominated as a Heritage Tree.