



AGENDA

CONTRA COSTA COUNTY North Richmond Municipal Advisory Council

Tuesday, June 3, 2025

5:00 PM

515 Silver Ave, North Richmond |
<https://cccounty-us.zoom.us/j/810469011>

64

Agenda Items: Items may be taken out of order based on the business of the day and preference of the Committee

1. Roll Call and Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to two minutes).
3. APPROVE June Agenda and May 6, 2025 [25-2105](#)
Attachments: [05_2025NRMACNotes](#)
4. Tree Protection and Preservation Ordinance (CCC) [25-2106](#)
Attachments: [Tree Protection Ord - public draft March 2025](#)
[Tree Ordinance Summary Table_3-31-25](#)
BAAQMD Air Quality Complain Program [25-2107](#)
Attachments: [BAAQMD presentation](#)
5. Community Agency Reports

The next meeting is currently scheduled for _____.

Adjourn

For Additional Information Contact: Tania Pulido, Tania.pulido@bos.cccounty.us



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 25-2105

Agenda Date: 6/3/2025

Agenda #: 3.

Advisory Board: North Richmond Municipal Advisory Council

Subject: APPROVE June Agenda and May 6, 2025

Information: APPROVE June Agenda and May 6, 2025

NORTH RICHMOND MUNICIPAL ADVISORY COUNCIL

May 6, 2025
5:00 p.m. - 7:00 p.m.
515 Silver Street
North Richmond, CA 94801

MINUTES

Meetings are conducted at the Corrine Sain Senior/Family Community Center, 515 Silver Street, N. Richmond, CA 94801. The meeting is also available on ZOOM.

CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:05 p.m. Board members present were: Annie King-Meridith, Princess Robinson, Glory Lopez, and Donald Gilmore. Absent was Beverly Scott.

APPROVAL OF AGENDA/MINUTES

Don motions to approve the agenda. Annie seconds, all are in favor. Don motions to accept the minutes, Princess seconds, all are in favor.

PUBLIC COMMENT

Latifah Abdullah, North Richmond Resident: Latifah announces that N. Richmond is part of an EPA Grant, which is supposed to come to North Richmond. The grant is being held up by the current presidential administration. The grant is for several programs in N. Richmond and also the N. Richmond Urban Tilth Farm.

If you are able to reach out to Congressman Garamendi or Sonia Bustamante, it would be to our advantage. Express your support, keep in touch, and see how this plays out.

LAW ENFORCEMENT AGENCY REPORT

Deputy Officer Sakai/CCC Sheriff's Department: Reporting for April 2025.

At the end of June, Officer Sakai will be moving on to investigation. He will become a detective. The department is trying to find the right person for the vacant position.

The department has been pushing more on traffic enforcement. They are making sure that people are not double-parking on Battery Street. The creeks look good, no one is squatting on the County property near Verde School.

NRMAC MINUTES/MAY 6, 2025

(2)

LAW ENFORCEMENT AGENCY REPORT CONTINUED

There were two crimes in April: a misdemeanor and vandalism. Annie thanks Officer Sakai for his services in the community. Princess asks what type of training the new

officers have, who are assigned to the community. The answer: Three new resident deputies will be assigned to N. Richmond, and they will be brought up to speed in order to serve the community adequately.

A resident asks what the difference is between a misdemeanor and a felony. A felony is a crime that is worth over \$450. A misdemeanor is a crime that is worth under \$450. Don asks Officer Saki, when is his last day working in the community? June 27th will be his last day, and will he keep the same phone number? Yes

PUBLIC COMMENT CONTINUES

Joey Smith/EBMUD Ward One: Announcing the Community Resource Fair, May 17th, from 9:00 a.m. - 12:00 p.m. The location will be at the RYSE Center, 3939 Bissell Ave. Richmond, CA 94805.

This event is being co-sponsored by EBMUD, and providers in attendance will offer resources for the following: Utilities Assistance, CalWORKS, Cal AIM, Supportive Housing, WIOA, Financial Assistance, and much more. There is an RSVP request. www.ebmud.com/about-us/events.

PRESENTATIONS

Mohammed Omar, DTSC Unit Chief of Permitting Division/Chevron Environmental Management Company/Draft Permit: A renewed permit would allow the facility to continue to operate its stormwater management system and maintain a closed landfill.

The department of toxic substances control (DTSC)) wants to know what the community thinks about renewing a permit for hazardous waste management at the Chevron Environmental Management Company, historically known as Chevron Chemical Company. This permit is not for the Chevron Richmond Refinery.

DTSC oversees a permit for two units at the Chevron Environmental Management Company located at 835 Castro Street, Richmond, CA 94801. The facility also serves as a warehouse, equipment storage, and office complex.

NRMAC MINUTES/MAY 6, 2025
(3)

PRESENTATIONS CONTINUED

Pesticides and fertilizers were manufactured at this site from 1937 to 1998. The facility constructed evaporation ponds to manage waste from this process. In the 19880's, due to state law protections, they stopped placing liquid waste into these ponds. In 1987, the original liners of the pond system were replaced with upgraded liners and a drain system. This prevents stormwater from leaching into the soil underneath that is contaminated with metal, organic compounds, and pesticides.

In 1988, the liquid waste was sent to a disposal facility. The remaining sludge and contaminated soil were removed and placed in the Consolidation Area on-site. The site was certified as a closed landfill in 1995. DTSC has permitted the facility since 1990 to use the pond system for stormwater management and to maintain the consolidation area. This includes a groundwater extraction and monitoring system. The stormwater management system occupies about 70 acres, and the consolidation Area is about 4.5 acres.

Community protections: Facilities must protect human health and the environment. DTSC makes sure that the facilities are safe by reviewing permits and conducting inspections. The permit must be renewed every ten years.

During the last ten years, six inspections were conducted and four major record reviews; no major violations were found. The site had six administrative violations that were corrected in a timely manner. DTSC reviewed the facility's compliance history and issued the facility a score of zero, which is the best score possible.

The contamination is contained at the site with a barrier wall, trench, and groundwater extraction pumps. In addition, the landfill is engineered with a series of protective layers and capped with vegetation to contain the sludge and contaminated oil. This protects the community from contaminants spreading into surrounding areas.

The stormwater goes into the city sewer system, along with extracted groundwater after it has been sampled and treated if necessary. The systems are inspected and maintained to ensure they are protective of human health and the environment.

Comment on the draft permit: You can send your comments from Tuesday, April 1, 2025, to Friday, May 16, 2025. Melanie Tieu, Manager at Melanie.Tieu@dtdsc.ca.gov

NRMAC MINUTES/MAY 5, 2025
(4)

PRESENTATIONS CONTINUED

Sophia Skoda, Director of Finance/EBMUD - Investing in the Future: EBMUD is a public, not-for-profit, serving the community for over 100 years. Serving 1.4 million people and businesses.

Water supply: They have 2 Sierra reservoirs, 5 local reservoirs. Six water treatment plants, 4,200 miles of piping, 125 pressure zones, and over 400 reservoir tanks, pumping plants, and other facilities.

Wastewater: Serving 740,000 and Bay protection: Wastewater Treatment plant processes 54 million gallons per day (MGD); up to 320 MGD during rainfall. There are 37 miles of sewer interceptors and 3 Wet Weather Facilities.

EBMUD challenges are aging infrastructure, water quality, environment, climate change, and fiscal responsibility.

Investing in a reliable water system. Aging Infrastructure, pipeline rebuild & large diameter pipelines. Orinda and Upper San Leandro Water Treatment Plants. Central Reservoir replacement, Mokelumne Aqueduct No. 2 relining, and Lafayette Aqueduct No. 1 Relining. Water Quality: Pardee Chemical Plant Improvements, Lafayette WTP Disinfection and Residual Improvements. Climate change & resiliency, Walnut Creek WTP pretreatment improvements, recycled water improvements. Fiscal Responsibility: Maintain a strong financial position and sustainable finances.

Investing in Reliability: Wastewater's aging infrastructure, water quality climate Change & resiliency, and fiscal responsibility. EBMUD carefully manages funds to deliver high-quality drinking water to 1.4 million customers in Alameda and Contra Costa counties. EBMUD treats approximately 56 million gallons of wastewater daily for 720,000 customers along San Francisco Bay, protecting public health and the environment.

Cost of Service Study & Rates: New rates effective July 1, 2025 (pending board approval). Water is about 2 cents per gallon. Impact of combined COS changes and rate increases: Median SFR water bill will increase by about 12 cents per day in FY26 and another 14 cents per day in FY27. The median SFR wastewater treatment bill will increase by 8 cents per day in FY26 and another 8 cents per day in FY27.

NRMAC MINUTES/MAY 5, 2025
(5)

PRESENTATIONS CONTINUED

Customer Assistance Program (CAP): Established in 1987 - one of the first programs in the state; funded by non-rate revenue. Provides financial support to vulnerable populations, including homeless shelters. Applicants must be a customer and have a water meter. Enrollment is valid for two years and must be recertified.

Benefits include: 50% off water service and flow charges (max of 1,050 gallons per/month per person. 35% off wastewater service and flow charges, and an additional 35% off for cities' sewer collection charges (Oakland, Emeryville, and Berkeley).

Next Steps & Schedules: May 13, 2025 - Public Outreach. June 10, 2025 - Public Hearing on Prop 218 Rates. Board considers adopting the budget & rates.

PROGRAM AND OTHER AGENCY REPORTS

Janine Shaheed, Community Engagement Manager/Corrine Sain Senior -Community Family Center: The Young Boss Network Youth Program will host its graduation ceremony tomorrow. This is the end of an eight-week program. The young people will

be receiving a certificate of completion. The location will be at the senior center, 515 Silver Street, N. Richmond, CA. The time will be from 4:30 p.m. - 6:00 p.m.

Zumba class will resume tomorrow. There will be arts and crafts for Mother's Day. The Growing Weiser class hosted a beautiful Easter Brunch and Fashion Show. The center enjoyed a day of partnership with the Hacienda Heights Senior Center. The participants used R-transit to get to the center.

The Cache Creek trip is scheduled for June 10th, and will be picking up seniors at the center and also Heritage Senior Apartments. The center will be participating in the Juneteenth Event, at Nicholls Park. Earth Day was a great and successful event.

Kalu Dennis, Community Service Coordinator/CHDC-Mitigation Fee Funded:
Community Awareness Day will be hosted at the senior center. The date is June 4, 2025. The theme is Pathway to Resources.

Earth Day was great, will be at the Juneteenth Festival. The Willie Spears Clean-up will be on May 31, 2025. Dumpsters will be out in the community in six locations. This year, discarded tires will be accepted. The voucher program for trash is still in effect.

NRMAC MINUTES/MAY 6, 2025
(6)

PROGRAMS AND OTHER AGENCY REPORTS CONTINUED

Tony Ucciferrui, Deputy, Executive Director/HACCC: Tony gives an update on the Las Deltas properties. Housing has closed the deals on two of the below-market-rate sites, Richmond Neighborhood Housing Services and Community Housing Development Corporation have completed purchases.

Richmond Community Housing has almost completed rehab on its units. Those units will be showcased, giving people a chance to make offers on renting or purchasing the units. The sales price must be at market value. The buyer's income must be at 80% of the median income for that area. There is a restrictive covenant for 20 years on the houses.

Former N. Richmond/Las Deltas residents will have first priority, then N. R. residents, people who work in North Richmond, and the general public.

The 18 parcels of scattered sites are coming up for sale at market rate. A decision for the buyers for the 11 ½ acres at the main campus has been made. The recommendations will be presented to the Board of Commissioners on May 20th.

North Richmond residents are encouraged to attend HACCC meetings. Princess asked what the estimated price of a housing unit.. Tony says a duplex (land only) is as low as

\$240,000, and for a three-plex, \$650,000. Prices depend on land and building structure.

Dillion Avery Harp, Community Manager, RichmondLand: Dillion announces that the new membership framework is completed. The N. R. Eco Village is in escrow. So they will be gaining control of ownership soon. The community garden is in effect.

August 2nd from 12 to 5 will be participating in Hood Day. Starting in July will be at the resource center for an ongoing stewardship and sign up for information pertaining to the Eco Village. Will be starting the fundraising soon to close a 14 million gap in the project.

Encourages people to sign up, become a member of Richmondland. Get involved in taking property off the speculative market.

NRMAC MINUTES/MAY 6, 2025
(7)

PROGRAM AND OTHER AGENCY REPORTS CONTINUED

Tania Pulido, District Coordinator/Supervisor, John Gioia's Office: DTSC says that the Brookside Project will be delayed until next year, 2026. This delay is because Verde School will be having summer school.

This comes from the County. If interested in Noise Compliance, there will be a meeting on June 3rd. Will be sending out another newsletter with the meeting information.

Will be launching Thrive Thursday, Doria Robinson and Supervisor John Gioia will be heading up this twelve-week series. There will be fitness, dance lessons, and walk with a dog events. There will be resource, health, and wellness booths. Will be collecting resources for the redevelopment of Nicholl Park.

Would like to congratulate Latifah on joining the NRMAC as the newest board member. She will join the next meeting in June. There is still a seat open on the board. There are four to five applications for Supervisor John Gioia to review.

Annie asks when Mitigation takes place. Tania says that she will look into that. She will also follow up on the Viola Project.

Latifah Abdulah, Community Engagement Manager/Urban Tilth Farm. Working on the three acres of renovation. The foundation for the community room is being constructed. Most buildings will have solar. Making plans for the recently purchased seven acres.

The farm has been active with members of all ages. The After-School at the Farm Program is ending. The Fellows just started a six-month fellowship program.

Applications for the Summer Youth Program are available. One hundred hours and a \$1,500 stipend will be offered. Field trips and workshops will be provided.

Family Pack Day is ongoing. Every fourth Saturday is volunteer day.

Cheryl Lopez, Community Engagement Manager/Urban Tilth Farm: Friday is Harvesting Your Own Bouquet, for Mother's Day. Apprenticeship positions will be opening up in the fall. Programs on Water Restoration will be centered around the creeks.

NRMAC MINUTES/MAY 6, 2025
(8)

PROGRAM AND OTHER AGENCY REPORTS CONTINUED

Jessica Walden, Library Assistant II/NR Mobile Tool Library: The tool library has been extremely busy. Participated in Earth Day, special thanks to Annie and Kalu. They also participated in the Park R Us Day at Nicholl Park.

The tool library is expanding its days, hours, and locations. The tool library is conducting an assessment survey for the community. Please contact Jessica for more information. Jessica_Walden@ci.richmond.ca.us or 510-672-3877

Meeting adjourned at 6:51 p.m.

NEXT MEETING

June 3, 2025
5:00 p.m. - 7:00 p.m..
515 Silver Street
N. Richmond, CA 94801



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 25-2106

Agenda Date: 6/3/2025

Agenda #: 4.

Public Review DRAFT March 2025
ORDINANCE NO. 2025-XX

TREE PROTECTION AND PRESERVATION

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends Chapter 816-6 of the County Ordinance Code to protect and preserve specified categories of trees as vital natural resources in the unincorporated area of the County.

SECTION II. Chapter 816-6 of the County Ordinance Code is amended to read:

Chapter 816-6
TREE PROTECTION AND PRESERVATION

Article 816-6.2
General

816-6.202 Title. This chapter is known as the Tree Protection and Preservation Ordinance of Contra Costa County. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.204 Findings. The board of supervisors finds as follows:

- (a) Trees provide soil stability, improve drainage conditions, provide habitat for wildlife, and provide aesthetic beauty and screening for privacy.
- (b) Trees are a vital part of a visually pleasing, healthy environment for the unincorporated area of this County.
- (c) It is necessary to preserve certain trees on private property in the interest of the public health, safety, and welfare, and to preserve scenic beauty. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.206 Purposes. The purposes of this chapter are to provide for the preservation of certain protected trees in the unincorporated area of the county, and to provide for the protection of certain trees on private property by regulating tree removal while allowing for reasonable enjoyment of private property rights and property development. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.208 Definitions. For purposes of this chapter, the following words and phrases have the following meanings:

ORDINANCE NO. 2025-XX **DRAFT March 2025**

- (a) “Arborist” means:
 - (1) A certified arborist who is certified by the International Society of Arboriculture;
or
 - (2) A consulting arborist who is listed as a member of the American Society of Consulting Arborists.
- (b) “Arborist report” means a written report prepared by an arborist that evaluates the feasibility and impact of a proposed restorative action or actions.
- (c) “Coniferous tree” means any cone-bearing tree with needle-like leaves, as opposed to broad leaves. Coniferous trees include but are not limited to the following tree species: pine, fir, redwood, spruce, cypress, cedar, juniper, and hemlock.
- (d) “Designated heritage tree” means a tree previously designated by resolution of the board of supervisors as a heritage tree, pursuant to Ordinance No. 88-83.
- (e) “Development” means any improvement of real property that requires the approval of a subdivision, land use permit, development plan, variance, grading permit, or building permit.
- (f) “Discretionary development approval” means the approval of a subdivision, land use permit, development plan, variance, or any other non-ministerial development approval by the board of supervisors, planning commission, or zoning administrator.
- (g) “Dripline” means the area of ground directly underneath any portion of the canopy of a tree.
- (h) “Non-coniferous tree” means any tree except a coniferous tree.
- (i) “Routine maintenance” means actions taken to maintain the health of a tree, including but not limited to removal of deadwood, removal of diseased or crossing limbs, control of deleterious insects, or pruning in a reasonable manner that does not structurally harm the tree.
- (j) “Tree” means a live woody plant with a single perennial stem or trunk or multiple perennial stems or trunks.
- (k) “Undeveloped parcel” means any of the following:

- (1) A parcel of private land that is vacant or that is developed only with barns, sheds, or other non-habitable structures.
 - (2) A parcel of land that can be further subdivided in accordance with the zoning regulations of the county, except as provided for under Article 94-4.10.
 - (3) A parcel of land with one or more structures that are proposed to be demolished or relocated.
- (l) “Very high fire hazard severity zone” means an area designated as a very high fire hazard severity zone by: (1) the State Department of Forestry and Fire Protection pursuant to Public Resources Code Section 4203 or Government Code Section 51178; or (2) the County or other appropriate local agency pursuant to Government Code Section 51179. (Ords. 2025-XX § 2, 94-59, 94-22.)

Article 816-6.4 Protected Trees

816-6.402 Protected trees. A protected tree is any of the following:

- (a) A non-coniferous tree that is:
 - (1) a single-stem tree with a circumference of 28 inches (approximately 9 inches in diameter) or larger, as measured 4.5 feet above the natural grade;
 - (2) a multi-stemmed tree with an aggregate circumference of 42 inches (approximately 13 inches in aggregate diameter) or larger, as measured 4.5 feet above the natural grade; or
 - (3) a multi-stemmed tree that has a single stem with a circumference of 28 inches (approximately 9 inches in diameter) or larger, as measured 4.5 feet above the natural grade.
- (b) A coniferous tree that is:
 - (1) a single-stem tree with a circumference of 48 inches (approximately 15 inches in diameter) or larger, as measured 4.5 feet above the natural grade;
 - (2) a multi-stemmed tree with an aggregate circumference of 66 inches (approximately 21 inches in aggregate diameter) or larger, as measured 4.5 feet above the natural grade; or

- (3) a multi-stemmed tree that has a single stem with a circumference of 48 inches (approximately 15 inches in diameter) or larger, as measured 4.5 feet above the natural grade.
- (c) A designated heritage tree.
- (d) A tree shown to be preserved on an approved tentative map, development plan, or site plan, or required to be preserved as a condition of approval.
- (e) A tree required to be planted as a replacement tree pursuant to this chapter. (Ords. 2025-XX § 2, 94-59, 94-22.)

Article 816-6.6 Permit

816-6.602 Permit requirement. No person may cut down, destroy, or remove a protected tree, or trench, grade, or fill within the dripline of a protected tree, without first obtaining a tree removal permit as provided in this chapter. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.604 Permit exceptions. A tree removal permit is not required in the following situations:

- (a) Hazardous situation. A permit is not required to remove a tree that presents a hazard to life or property and requires immediate action to remedy the hazard, as determined by the zoning administrator, building inspector, sheriff, or fire chief. If none of the listed officials are available, the property owner may remedy the hazardous situation and submit a report of the incident and description of the hazard to the department within 10 days after the incident.
- (b) Prior approval.
 - (1) A permit is not required to remove a tree that is specifically approved for removal in connection with an approved development plan, site plan, subdivision, or building permit.
 - (2) A permit is not required to trench, grade, or fill within the dripline of a tree if the work is specifically approved in connection with an approved development plan, site plan, subdivision, or building permit.
- (c) Precluded by law. A permit is not required under this chapter if precluded by federal, state, or other applicable law
- (d) Routine maintenance. A permit is not required for routine tree maintenance.

- (e) Commercial plantings. A permit is not required to remove and harvest trees grown at holiday tree farms, orchards, or nurseries.
- (f) Rangeland management. A permit is not required for normal activities associated with rangeland management on agriculturally-zoned properties that are 20 acres or larger. These activities include but are not limited to: clearing and thinning trees to reduce fire risk or enhance forage production; removing obstructions to stormwater runoff flow; maintaining adequate clearance on range roads and fire trails; fence maintenance; and protecting equipment and construction. Agriculturally-zoned parcels that are adjacent and under common ownership with an aggregate size of 20 acres or larger satisfy the acreage requirements of this subsection.
- (g) Public lands. A permit is not required to remove a tree from, or to trench, grade, or fill within the dripline of a tree on, property a public agency owns in fee.
- (h) Public agency/utilities easements. A permit is not required to trim or clear a tree located within an easement or right-of-way of a public agency or public utility for the purpose of maintaining the easement or right-of-way. Property owned by a public utility and used for administrative purposes or uses unrelated to the public service provided by the utility is not exempt under this subsection.
- (i) Very high fire hazard severity zone. A permit is not required to remove a tree from property located in a very high fire hazard severity zone.
- (j) Defensible space wildfire buffer. A permit is not required for trimming necessary to do any of the following within 100 feet of a building or structure:
 - (1) Remove branches within 10 feet of a chimney or stovepipe outlet.
 - (2) Remove branches to maintain a distance of 10 feet from other trees.
 - (3) Remove branches to a height of six feet or three times the height of the tallest shrub or other vegetation within the tree's dripline, whichever is greater.
- (k) Certain non-native species. A permit is not required to remove a tree that is any of the following species:
 - (1) Eucalyptus.
 - (2) Monterey Pine.
- (l) Minor work within dripline. A permit is not required to conduct minor work within the dripline of a tree. Minor work includes: the installation of irrigation lines not exceeding one inch in diameter to a depth of not greater than one foot; the construction,

maintenance, or repair of a fence; or the installation of pavers or other porous surfaces intended for pedestrian use. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.606 Application. An application for a tree removal permit must contain the following information:

- (a) A site plan showing the approximate location of all trees on the property, including those proposed to remain. For a tree removal permit application submitted with proposed development, the site plan must be overlaid on all proposed grading, building, and development plans.
- (b) The size (including height and circumference or diameter, as measured 4.5 feet above the natural grade), species, dripline, and condition of each protected tree proposed to be removed or impacted by trenching, grading, or filling within the dripline.
- (c) The reason for tree removal.
- (d) Information indicating the effect of tree removal on drainage, soil stability, and erosion control.
- (e) Photographs of the protected tree(s) to be removed or impacted by trenching, grading, or filling within the dripline.
- (f) The signature of the property owner or, if the permit is requested by someone other than the owner, a written authorization from the owner.
- (g) Additional information as may be required by the department.
- (h) Application and permit fees. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.608 Arborist Report.

- (a) A report prepared by a certified arborist must be submitted with an application for a tree removal permit if:
 - (1) the application is submitted in connection with an application for a discretionary development approval;
 - (2) the application is for the removal of three or more protected trees;
 - (3) the application is to trench, grade, or fill within the dripline of a protected tree; or
 - (4) the reason for removal is related to the health of the protected tree.

- (b) An arborist report shall include all of the following:
 - (1) The health, age, and condition of the protected tree(s) to be removed or impacted.
 - (2) The value of the protected tree(s) to be removed or impacted.
 - (3) The possible impact from development on any protected trees to remain.
 - (4) Feasible restorative or other remedial actions to address tree removal or impacts, including but not limited to a replacement tree planting plan. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.610 Permitting procedure.

- (a) Except as otherwise provided in subsection (b) or (c) of this section, the zoning administrator will consider an application for a tree removal permit under the administrative decision procedure specified in Article 26-2.21.
- (b) An application for a tree removal permit that is submitted with an application for a discretionary development approval will be considered in conjunction with the application for the discretionary development approval.
- (c) An application for a tree removal permit will be approved ministerially without discretionary review or public hearing and is not subject to the findings requirement in Section 816-6.612, or the tree preservation requirements in Sections 816-8.802 through 816-8.808, if it is not submitted with an application for a discretionary development approval and it meets all of the following.
 - (1) For a non-coniferous tree:
 - (A) If the tree is a single-stem tree, the tree does not exceed 56 inches in circumference (approximately 18 inches in diameter), as measured 4.5 feet above the natural grade.
 - (B) If the tree is a multi-stemmed tree:
 - (i) the tree does not exceed 84 inches in aggregate circumference (approximately 27 inches in aggregate diameter), as measured 4.5 feet above the natural grade; and
 - (ii) no single stem exceeds 56 inches in circumference (approximately 18 inches in diameter), as measured 4.5 feet above the natural grade.

- (2) For a coniferous tree:
 - (A) If the tree is a single-stem tree, the tree does not exceed 94 inches in circumference (approximately 30 inches in diameter), as measured 4.5 feet above the natural grade.
 - (B) If the tree is a multi-stemmed tree:
 - (i) the tree does not exceed 132 inches in aggregate circumference (approximately 42 inches in aggregate diameter), as measured 4.5 feet above the natural grade; and
 - (ii) no single stem exceeds 94 inches in circumference (approximately 30 inches in diameter), as measured 4.5 feet above the natural grade.
- (3) The tree is not located on an undeveloped parcel. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.612 Decision. A tree removal permit will not be issued unless at least one of the following findings is made:

- (a) The burden to the applicant in preserving the protected tree outweighs the benefit to the public. The following factors will be considered in weighing the relative burden and benefit of preserving the protected tree:
 - (1) the tree’s general health;
 - (2) the tree’s status as a public nuisance;
 - (3) the tree’s potential to pose a danger from falling, the tree’s proximity to existing or proposed structures;
 - (4) the tree’s potential interference with or impacts to utility services;
 - (5) the tree’s potential to damage infrastructure or private property; and
 - (6) the tree’s status as a host for plant, pest, or disease endangering other trees or plants with infection or infestation that cannot be controlled or remedied through reasonable preservation or preventative procedures and practices.
- (b) It is necessary to remove, or trench, grade, or fill within the dripline of, the protected tree to enable the reasonable and conforming use or improvement of the subject property that is otherwise prevented by the presence of the tree. The “reasonable and conforming use or

improvement of the property” shall be determined in accordance with the County general plan and zoning code. The applicant must demonstrate that there are no reasonable and conforming alternatives to the proposed use or improvement of the property that would not impact the protected tree. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.614 Conditions of approval. An approved tree removal permit will include conditions necessary to ensure compliance with this chapter, including the tree preservation requirements in Article 816-6.8, and may include other feasible measures to mitigate the effects of tree removal and impacts to remaining trees. (Ords. 2025-XX § 2, 94-59, 94-22.)

Article 816-6.8 Tree Preservation

816-6.802 Tree replacement. A protected tree may not be removed pursuant to a tree removal permit unless one or more replacement trees that meet all of the following criteria are planted at the subject property.

- (a) The ratio of replacement trees to protected trees removed will be three to one, except that the number of replacement trees may be reduced if it is determined based on an arborist report that the subject property would not support the total number of required replacement trees.
- (b) Replacement trees must be of the same species as the protected tree to be removed.
- (c) Replacement trees must be planted as 15-gallon trees, except that up to 50 percent of the required replacement trees may be planted as 5-gallon trees if it is determined based on an arborist report that long-term tree health and survival will be improved by starting with a smaller container size.
- (d) An approved tree removal permit that is connected with a discretionary development approval will require compliance with an arborist-evaluated replacement tree planting plan. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.804 Tree protection. On a property proposed for development, the following tree protection measures apply to all protected trees that will remain on the property after development is completed.

- (a) The parking or storing of vehicles, equipment, machinery, construction materials, construction trailers, oil, or chemicals within the dripline of a protected tree is prohibited.
- (b) If no grading or construction is approved within the dripline of a protected tree, fencing shall be installed at the dripline prior to the start of any grading or construction activities.

- (c) If an approved tree removal permit allows for trenching, grading, or filling within the dripline of a protected tree, the permit may require that an arborist be present during the trenching, grading, or filling operations to advise on measures to protect the tree. After the trenching, grading, or filling operations are completed, the arborist will prepare a report describing further measures required, if any, for protection of the tree. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.806 Deposit.

- (a) Before any grading or building permit is issued for a property where one or more protected trees are to remain on the property after development is completed, the applicant shall deposit cash or other acceptable security with the department on a per tree basis in the amount of \$1,000 per tree, or as otherwise established by the applicable tree removal permit or discretionary development approval.
- (b) To guarantee the health of the protected tree, the department will retain the deposit for a two-year period beginning when construction is completed.
- (c) The applicant may request that the department relinquish all or a portion of the deposit during the two-year period for the cost to prepare an arborist report, or for expenses directly related to preserving the health of the protected tree or, if the protected tree dies, planting and maintaining replacement trees.
- (d) The department will relinquish any remaining deposit funds to the applicant upon termination of the two-year period. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.808 Damage during construction. A property owner shall notify the department of any damage that occurs to a protected tree during construction. The department may require, at the property owner's expense, an arborist report to evaluate the extent of damage to the protected tree. If the damaged tree dies, or if an arborist report finds that the tree is likely to die due to the damage or has suffered significant damage, the property owner shall plant replacement trees consistent with the requirements of Section 816-6.802. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.810 Tree removal only after issuance of building or grading permit. An approved tree removal permit that is connected with proposed development shall require that a protected tree that is approved for removal may not be removed until a grading or building permit for the proposed development is issued. (Ords. 2025-XX § 2, 94-59, 94-22.)

Article 816-6.10 Enforcement

816-6.1002 Separate offense. Each tree damaged or removed in violation of this chapter constitutes a separate offense. (Ords. 2025-XX § 2, 94-59, 94-22.)

816-6.1004 All remedies. The County may seek compliance with this chapter by any remedy allowed under this code, including but not limited to administrative fines and any other remedy allowed by law. (Ords. 2025-XX § 2, 94-59, 94-22.)

SECTION III. Chapter 816-4 of the County Ordinance Code is deleted in its entirety.

SECTION IV. Section 26-2.2102 of the County Ordinance Code is amended to read:

26-2.2102 Decisions without public hearing. Unless otherwise required by this article, the zoning administrator may, without public hearing, decide applications for any of the following:

- (a) A variance permit pursuant to subsection (1) of Section 26-2.1204.
- (b) A minor subdivision pursuant to subsection (3) of Section 26-2.1204, including an application for improvement exceptions.
- (c) A small lot occupancy permit pursuant to subsection (c) of Section 82-10.002.
- (d) A wireless facility access permit pursuant to Chapter 88-24.
- (e) A short-term rental permit that does not meet one or more of the short-term rental regulations specified in Section 88-32.602.
- (f) An industrial hemp cultivation permit renewal pursuant to Section 88-34.412.
- (g) A sign permit pursuant to Chapter 88-6.
- (h) A tree removal permit pursuant to Chapter 816-6. (Ords. 2025-XX § 4, 2022-03 § 3, 2021-21 § 3, 2020-12 § 3, 2020-01 § 3, 2017-11 § 3, 2016-11 § 3, 2011-05 § 5, 95-51 § 3, 80-87 § 2: See Gov. C. § 65901.)

SECTION V. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the East Bay Times, a newspaper published in this County.

PASSED on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: MONICA NINO,
Clerk of the Board of Supervisors

Board Chair

ORDINANCE NO. 2025-XX

DRAFT March 2025

and County Administrator

By:

Deputy

[SEAL]

KCK:

H:\Client Matters\2024\DCD\Tree Protection Ord - draft6.doc

Table 1. Key Provisions of Proposed Tree Protection Ordinance (3/25/25)

Parameter	Summary of Proposed Provision
What types of trees are proposed to be protected?	<ul style="list-style-type: none"> • All native and non-native trees (except Monterey pine and eucalyptus) that meet minimum size threshold (see Table 2) • Designated heritage tree • Tree shown to be preserved in County planning approvals for the site • Tree required to be planted as a replacement tree
What actions may require a permit?	Removal of a protected tree or trenching, grading or filling within the dripline of a protected tree
What type of permit?	No permit required for small trees. Ministerial permit required for mid-sized trees. Discretionary permit required for larger trees. (See Table 2)
Are there exceptions?	<p>Yes. Permit is not required to remove or impact a protected tree when:</p> <ul style="list-style-type: none"> • hazardous situations exist (as determined by named officials) • there is prior approval • permit requirement is precluded by law • routine maintenance is being performed • harvest trees are grown at holiday tree farms, orchards or nurseries • performing rangeland management on ag properties > 20 acres • property is located in a very high fire hazard severity zone • removing branches for defensible space (as specified) • minor work within dripline is proposed, including installing pavers or irrigation trenching < 1 foot deep
What are the permitting criteria?	<ul style="list-style-type: none"> • Ministerial permits would be issued if review confirms tree is eligible • Discretionary permits require a detailed finding that the burden of protecting the tree outweighs the benefit or the work is necessary to enable reasonable use of property and no reasonable alternative exists.
Other noteworthy aspects	Tree replacement and safeguards for remaining trees (discretionary only)

Table 2. How Proposed Ordinance Would Apply to Distinct Types of Trees

Type of Tree	Exempt (no permit required)	Ministerial Permit (no hearing/not appealable)	Discretionary Permit (hearing / appealable)
Non-coniferous	Circumference < 28" (diameter < 9" approx.)	Circumference from 28" to 56" (diameter 9" to 18" approx.), unless on "undeveloped" lot	Circumference > 56" (diameter > 18" approx.). If on "undeveloped" lot, circumference ≥ 28" (9" diameter)
Coniferous	Circumference < 48" (diameter < 15" approx.)	Circumference from 48" to 94" (diameter 15" to 30" approx.), unless on "undeveloped" lot	Circumference > 94" (diameter > 30" approx.). If on "undeveloped" lot, circumference ≥ 48" (15" diam.)
Multi-stem non-coniferous	Aggregate circum. < 42" (aggregate diameter < 13" approx.) Or one stem meets single-stem criteria.	Aggregate circumference from 42" to 84" inches (aggregate diameter 13" to 27" approx.) or one stem meets single-stem criteria, unless on "undeveloped" lot	Aggregate circumference > 84" (aggregate diameter > 27" approx) or 1 stem meets single-stem criteria. If on "undeveloped" lot, aggregate circum. ≥ 42" (13" diameter) or one stem meets single-stem criteria.
Multi-stem coniferous	Aggregate circum. < 66" (aggregate diameter < 21" approx.) Or one stem meets single-stem criteria.	Aggregate circumference from 66" to 132" inches (aggregate diameter 21" to 42" approx.) or one stem meets single-stem criteria, unless on "undeveloped" lot	Aggregate circumference > 132" (aggregate diameter > 42" approx) or 1 stem meets single-stem criteria. If on "undeveloped" lot, aggregate circum. ≥ 66" (21" diameter) or one stem meets single-stem criteria.
Monterey pine and eucalyptus	All such trees exempt from permitting	N/A	N/A

Note: Circumference and diameter measured at 4.5 feet above the ground.

Table 3. Comparison of Current and Proposed Tree Protection Ordinances

Provision/Scenario	Current	Proposed
Minimum tree circumference (diameter) to qualify as protected	20" (approx. 6.5")	Non-coniferous: 28" (approx. 9") Coniferous: 48" (approx. 15")
Tree species covered	Native only, except on undeveloped/commercial properties	All except Monterey pine & eucalyptus
Rules depend heavily on site context?	Yes. Tree that is not part of a stand of 4+ trees may not be protected. Rules also depend upon zoning, developability, etc.	No. The only exception is that no protected tree on undeveloped properties may receive a ministerial permit.
Process	Staff determination appealable to Planning Commission, etc.	Ministerial for mid-size trees. Larger trees heard at Zoning Administrator. Appealable.
Example scenarios:		
44" diameter oak on built-out residential lot, not part of stand	No permit required	Discretionary permit required. ZA hearing. Appealable to CPC, etc.
29" diameter redwood on built-out residential lot, not part of stand	No permit required	Ministerial permit required. Not appealable.
8" diameter redwood on built-out residential lot, part of stand of 4	Permit required. Appealable to Planning Commission, etc.	No permit required
10" diameter oak on <u>undeveloped</u> residential lot, part of stand of 4	Permit required. Appealable to Planning Commission, etc.	Discretionary permit required. ZA hearing. Appealable to CPC, etc.
4" diameter oak on <u>undeveloped</u> residential lot, part of stand of 4	Permit required. Appealable to Planning Commission, etc.	No permit required



CONTRA COSTA COUNTY

Staff Report

1025 ESCOBAR STREET
MARTINEZ, CA 94553

File #: 25-2107

Agenda Date: 6/3/2025

Agenda #:

Air Quality Complaint Program Overview

Presented by Tracy Lee, Compliance & Enforcement Manager

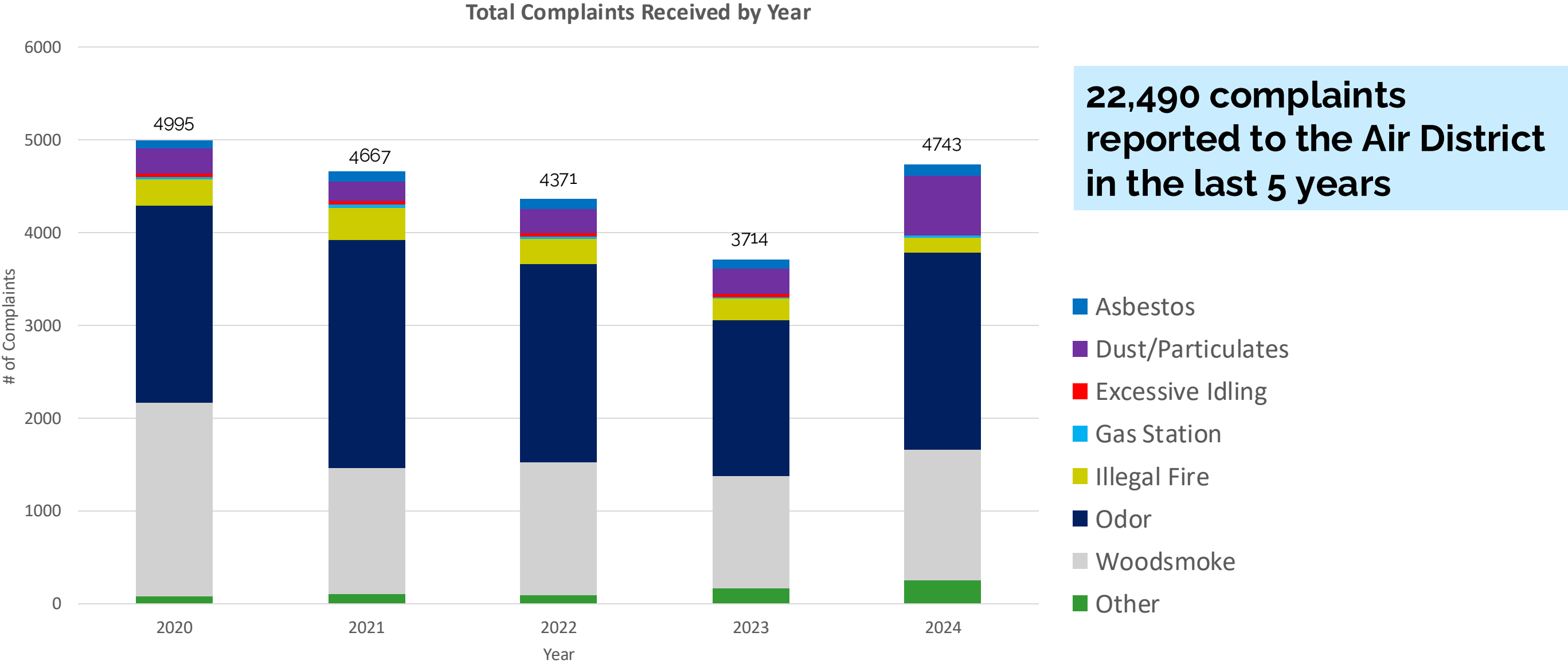
June 3, 2025

Air Quality Complaint Program Goals and Objectives

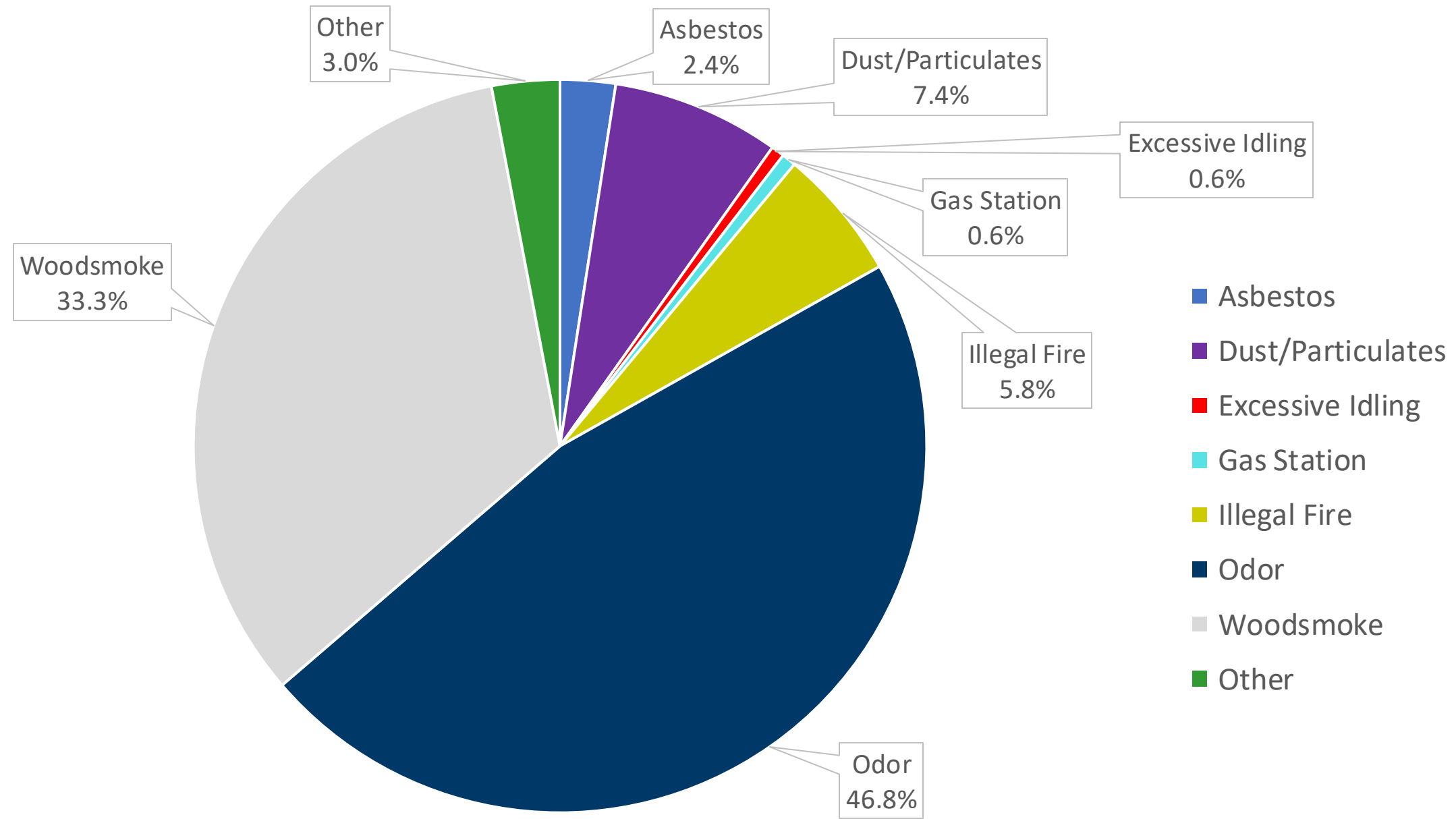
- Provide avenue for the public to communicate air quality concerns in the Bay Area
- Provide timely response to air quality complaints
- Investigate each complaint to achieve early intervention in resolving air quality problems and identifying violations
- Investigate all complaints as an impartial party to determine the facts and circumstances surrounding alleged air emission releases
- Take appropriate enforcement action following complaint investigations



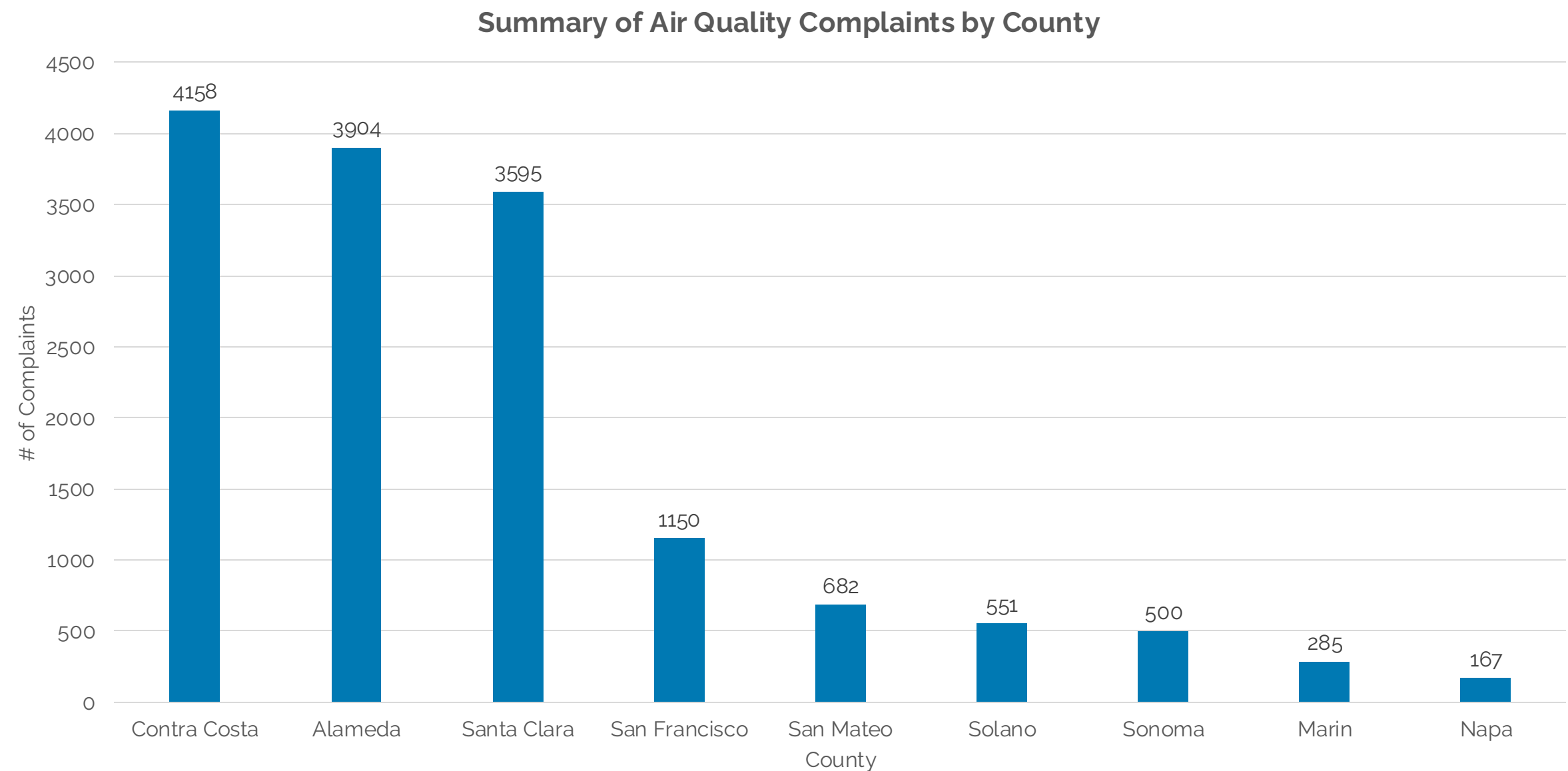
Air Quality Complaints in Bay Area (2020-2024)



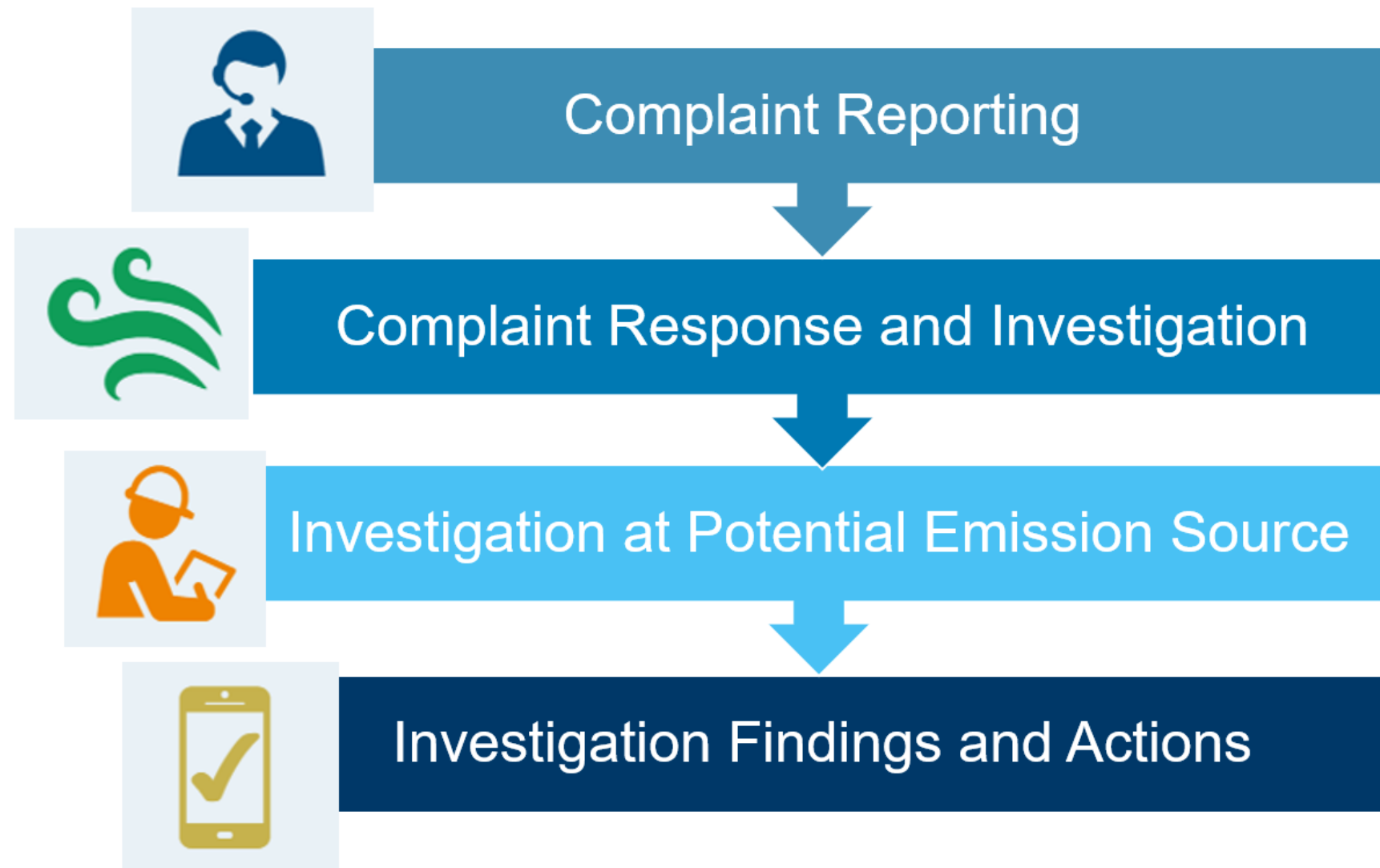
Bay Area Complaints by Type (2020–2024)



Air Quality Complaints by County (2020-2024)



Air Quality Complaint Investigation Process



Reporting an Air Quality Complaint

Report complaints by phone or online

- **PHONE: 1-800-334-ODOR(6367)**
- **ONLINE: [REPORT AN AIR QUALITY COMPLAINT](#)**
- Option to report complaints anonymously

Complaint response and investigation

- Core Business Hours
 - 7:30 am – 6:00 pm, Mon – Fri
- After Business Hours
 - 6:00 pm – 7:30 am, Mon – Fri
 - Weekends and holidays

Language interpretation service available

- Over 150 different languages

Confidentiality

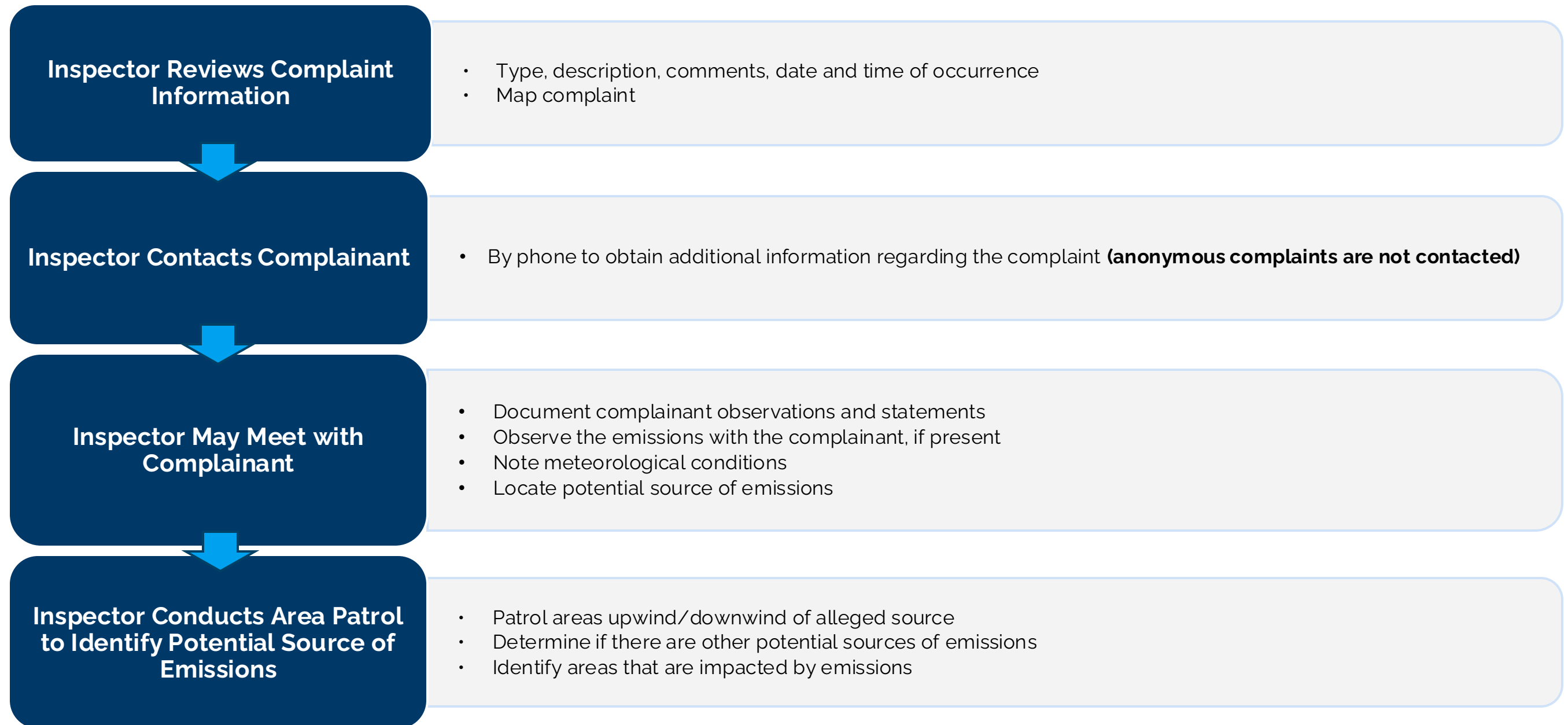
- The Air District maintains confidentiality of complaint information to the maximum extent permitted by law.

The screenshot shows the BAAQMD General Complaint form. The header includes the BAAQMD logo and the text 'GENERAL COMPLAINT'. Below the header, there are four tabs: 'GENERAL INFORMATION', 'LOCATION OF EMISSION SOURCE', 'CONTACT INFORMATION', and 'REVIEW & SUBMIT'. The form is divided into four sections: 1. Complaint Type, 2. Description of the Complaint, 3. When did this occur?, and 4. Location of observed emissions. Section 1 has a dropdown menu for 'Odor' and an 'Edit Complaint Type' button. Section 2 has a text area for 'Provide a detailed description of the emissions you observed. Try to be as specific as possible with your information.' with a character count of 0 / 256. Section 3 has two sub-sections: 'When did you first observe the emission?' with a date and time picker (M/D/YYYY, HH:MM, AM) and 'Is the emission occurring right now?' with 'Yes' and 'No' radio buttons. Section 4 has a text area for 'Describe where you observed the emissions:' with a character count of 0 / 256. At the bottom right, there are 'CANCEL', 'PREVIOUS', and 'NEXT' buttons. At the bottom, there are links for 'Contact Us', 'Air Pollution FAQs', and 'baaqmd.gov'.

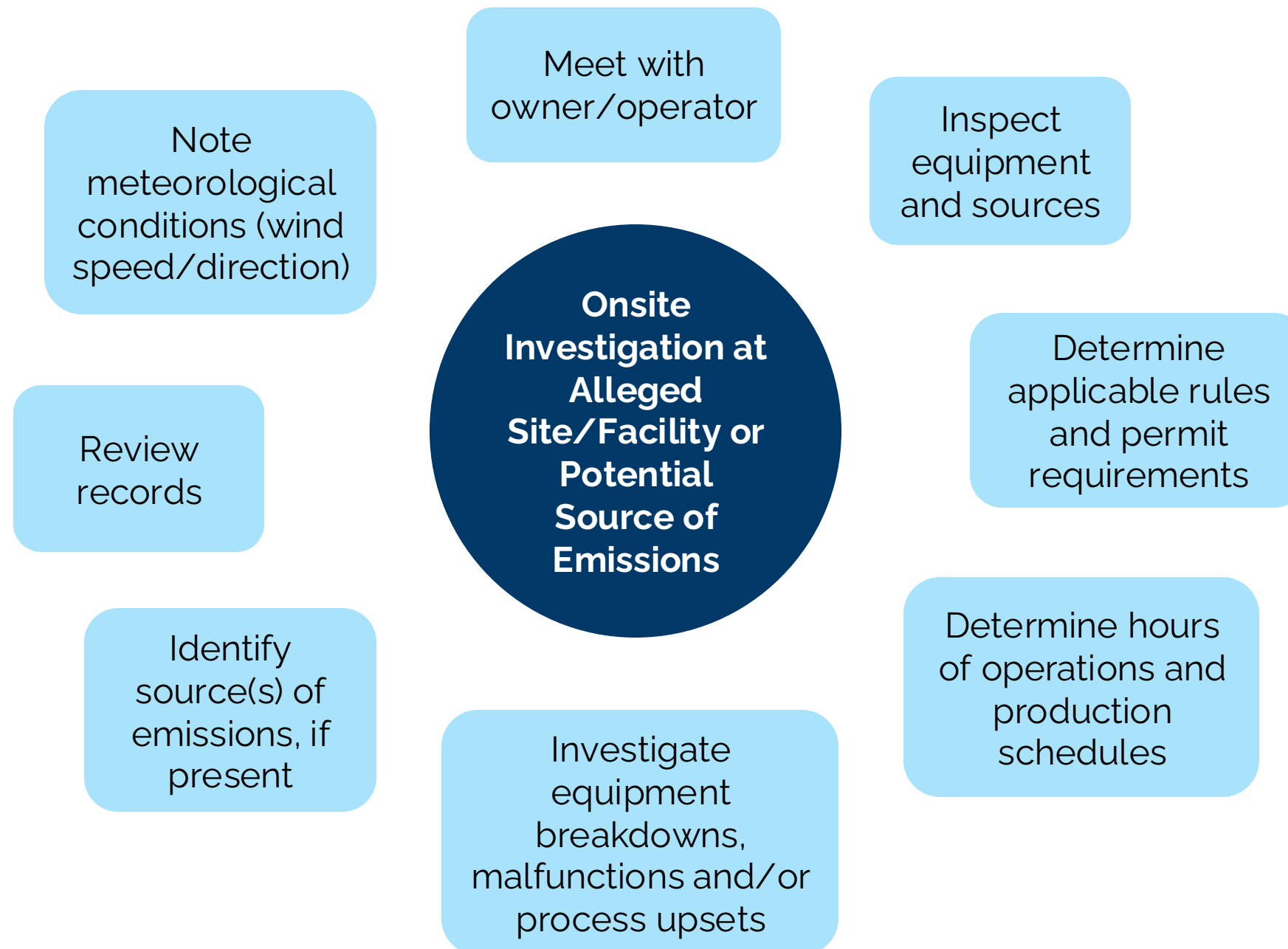
Complaint Response Time Goals

Type of Complaints	Response Time Goals During Regular Business Hours
Complaints with ongoing emissions	30 minutes
Complaints from schools, preschools, daycare, and senior centers	30 minutes
Complaints that do not have ongoing emissions	30 minutes – 2 hours
Gasoline Dispensing Facility	24 hours

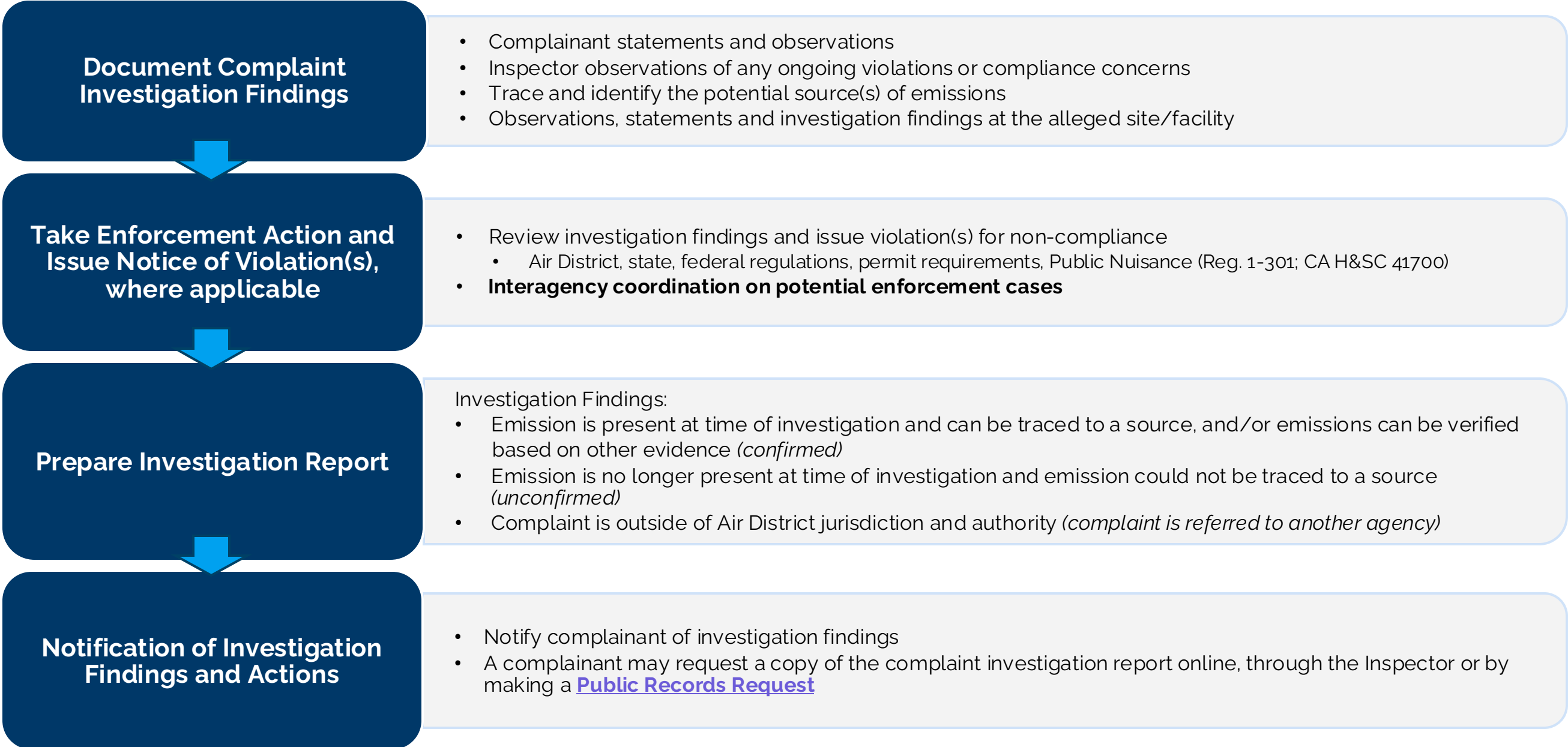
Complaint Response & Investigation



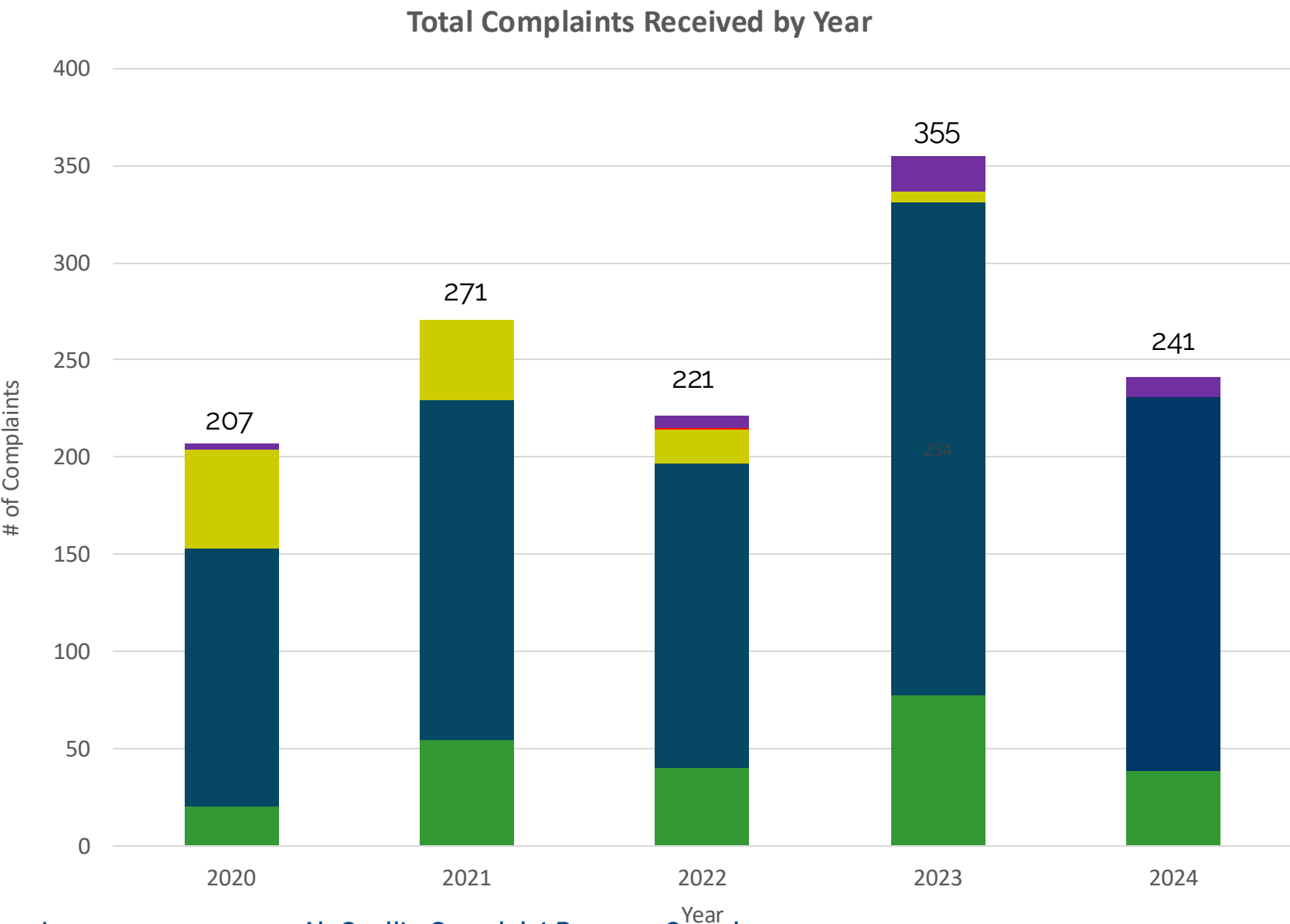
Onsite Compliance Verification Inspections



Investigation Findings and Enforcement Actions



North Richmond (94801) Complaint Summary (2020-2024)

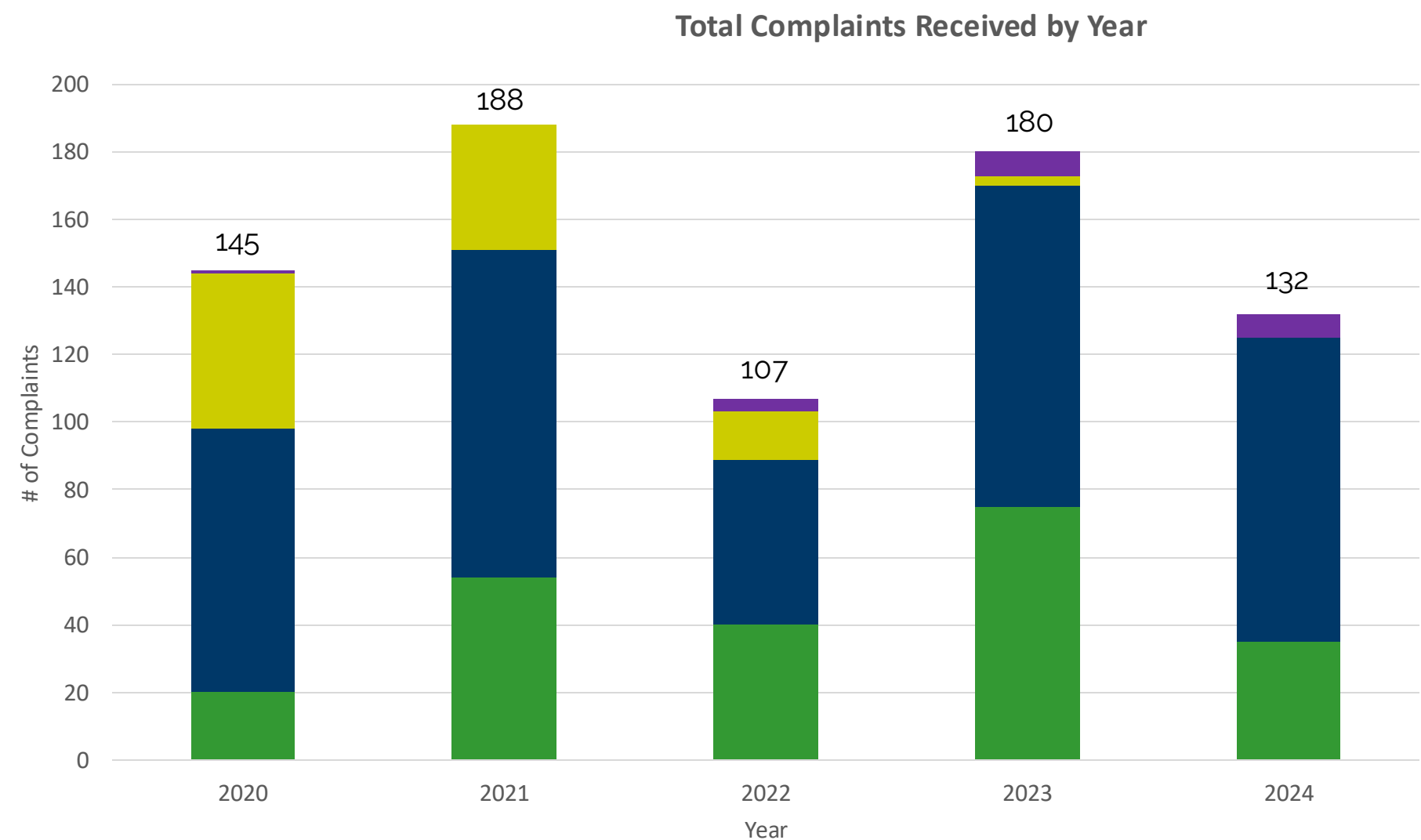


Top Sites/Facilities in North Richmond	
Alleged Site/Facility	# of Complaints
Chevron Products Company	752
West Contra Costa County Landfill	132
Green Waste Recycle Yard	5
Chemtrade West US LLC	2

**364 complaints with no alleged site/facility info provided*

- Dust/Particulates
- Excessive Idling
- Illegal Fire
- Odor
- Other

Chevron Complaint Summary (2020-2024)

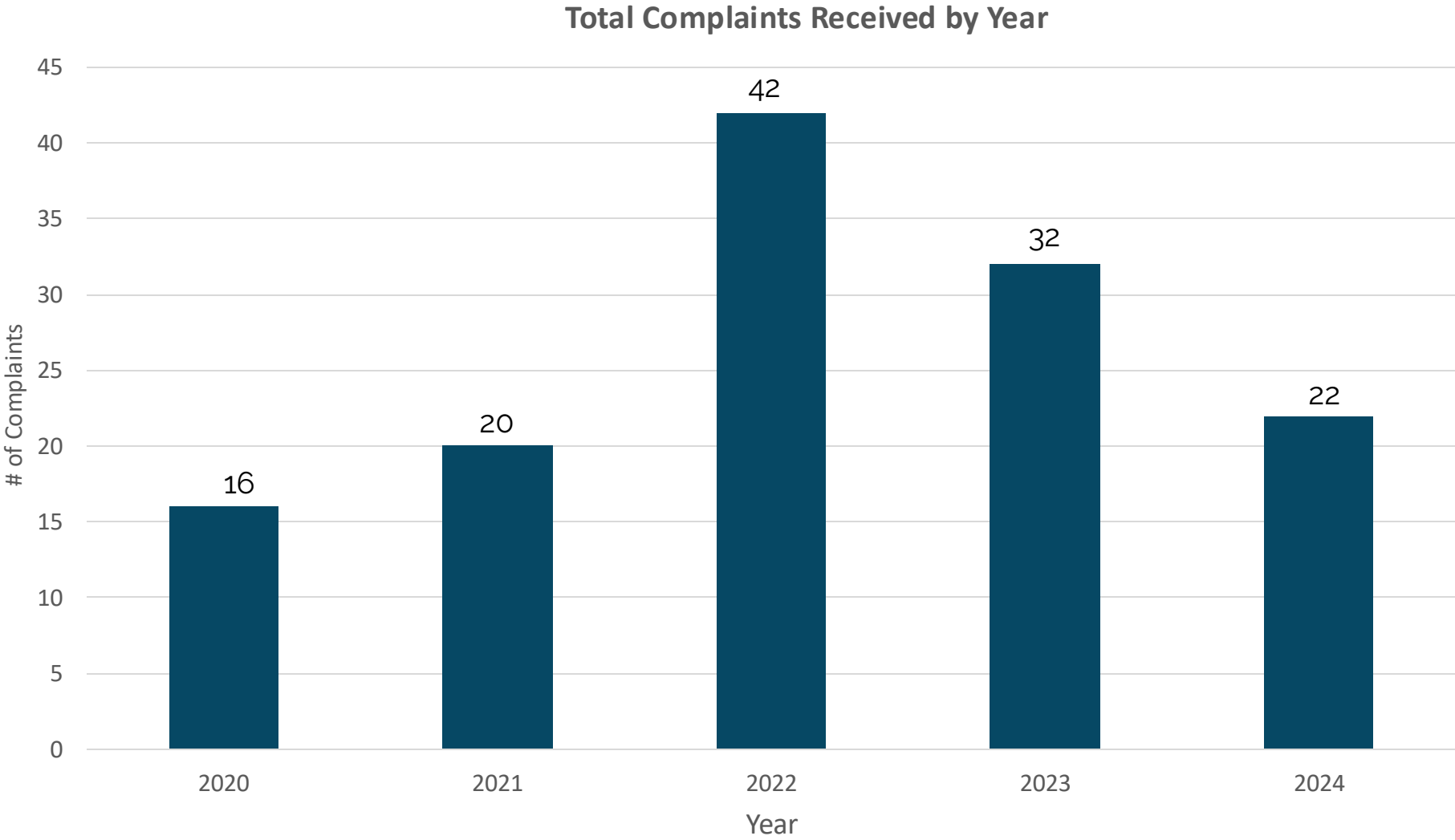


30% (5-year avg) of all complaints that allege Chevron are traced to the refinery

880 Notice of Violations were issued to Chevron

- Dust/Particulates
- Illegal Fire
- Odor
- Other

West Contra Costa Landfill (WCCSL) Complaint Summary (2020–2024)



7.5% (5-year avg) of all odor complaints that allege WCCSL are traced to the landfill

35.6% of all WCCSL complaints alleged compost odors

31 Notice of Violations were issued to WCCSL

■ Odor

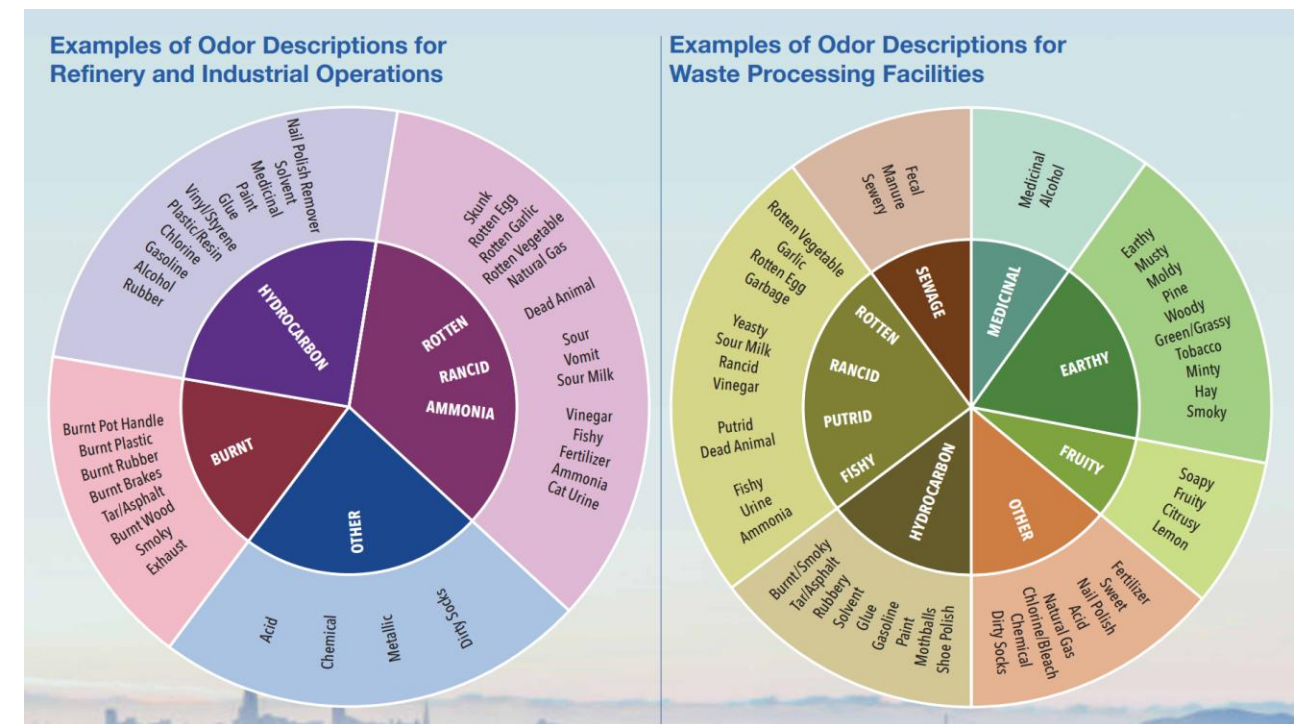
Factors that Influence Response & Investigation

- Timeliness of the reported complaint
- Meteorological conditions and the fleeting nature of emissions (e.g., wind, rain, temperature, fog, etc.)
- How many complaints were reported and pending an investigation
- Operations at the alleged site/facility
- Complaints lacking details and descriptions
- Complaints received outside business hours
- Complaints that are not within Air District jurisdiction



How Communities Can Help

- Report a complaint as soon as possible
 - **Phone: 1-800-334-ODOR(6367)**
 - **Online: <https://www.baaqmd.gov/en/online-services/air-pollution-complaints>**
- Provide detailed descriptions about the emissions when reporting an air quality complaint
- Provide supporting evidence such as photos or videos
- Share information with neighbors on how to report an air quality complaint
- [Tips for Reporting Air Quality Complaint](#)



Questions?