

# San Jose Mercury News

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## EDITORIAL

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### Trees trump solar panels: They benefit neighborhoods

The eco-standoff between trees and solar panels is a tough one, but we come down on the side of the trees.

It's unfortunate that a Sunnyvale couple was forced to butcher two towering redwoods last week after losing a legal battle with a neighbor who had installed a solar system. And it's great that state Sen. Joe Simitian, D-Palo Alto, has a bill to restore common sense to a state law that now favors solar, even if the trees were there first.

The 1978 law was little known until the Sunnyvale smack-down. San Jose has denied homeowners permission to take down mature trees shading

their solar panels.

A healthy tree canopy can lower the temperature of a neighborhood by 10 degrees. Trees absorb carbon dioxide, give off oxygen and take tons of pollution particles out of the air each year.

The ultimate arbiter of the tree-solar standoff will be technology: smaller collectors and lower-priced systems that will be cost-effective even if they can't hit 100 percent of potential because of that big sycamore next door.

In the interim, the state needs Simitian's bill, which would favor whichever came first.

# The New York Times

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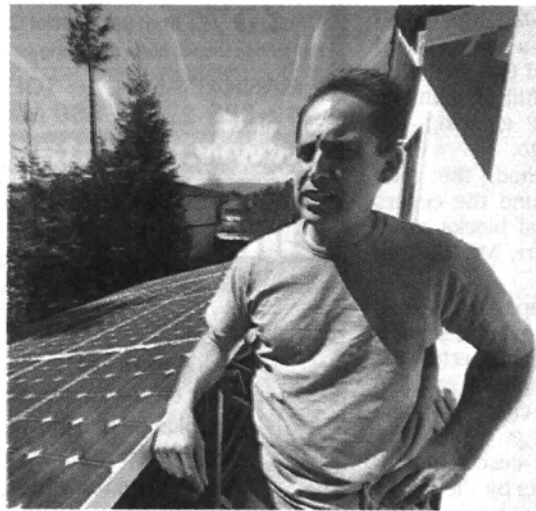
## In California Neighbors' Dispute, Officials Find It's Time to Speak for the Trees

By FELICITY BARRINGER

SAN FRANCISCO — Neither State Senator Joe Simitian of California nor the state's governor, Arnold Schwarzenegger, bears much resemblance to Dr. Seuss's Lorax. But on Tuesday, like that fictional defender of the environment, they spoke for the trees.

More than six months after two Santa Clara residents were convicted under a state nuisance law for letting their redwoods cast shade on a neighbor's solar panels, the governor signed into law a bill that gives trees the right to grow as they please — as long as they predate any solar panels they might be shading.

"I think we've demonstrated that there is nothing mutually inconsistent about trees and solar," said Mr. Simitian, a Democrat who wrote the bill, shortly after the measure was signed on Tuesday. "I was frustrated by the tone of the debate at the outset — that it was somehow about trees versus solar. I thought it should be



PHOTOGRAPHS BY JIM WILSON/THE NEW YORK TIMES

Mark Vargas, left, at his Santa Clara, Calif., home with solar panels. His neighbor, Richard Treanor, pointed to a redwood that was trimmed of 10 to 15 feet of branches after a court ruling.

about trees and solar."

He added, "We need to get past talking about who's right and talk about what's right."

But back in his Santa Clara

County district, the dispute between the neighbors, Mark Vargas (he of the solar panels) and Richard Treanor andCarolynn Bissett (of redwood-tree fame)

still simmers.

Mr. Vargas had tried to get his neighbors to remove or drastically prune a group of redwoods they had planted beginning more

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A case of redwoods vs. solar panels brings a new law.

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than a decade ago. The trees now loom over Mr. Vargas's home and over solar panels he installed in 2001, six years after the first redwoods were planted.

After the conviction of Mr. Treanor and Ms. Bissett, one of the seven redwoods was extensively pruned.

The new law is not retroactive; the original conviction stands. But the neighborhood fight is not over. Mr. Vargas has gone back to civil court, suing his neighbors in part because of the solar-panel issue, but also because he claimed the trees' roots damage an underground storm drain and because they violate state laws prohibiting spite fences.