

25 Trees Cut In Park Before Court Order

Twenty five eucalyptus trees in a Balboa Park grove a citizens group is seeking to retain by court action have been cut down by a firm holding a city contract.

El Cajon Tree Surgery removed 25 of 60 trees included in the contract before receipt Tuesday of a Superior Court injunction obtained by the Balboa Park Protective Association.

The trees are being removed to make way for construction of the west wing of the Fine Arts Gallery, a \$1.6 million project to be financed by federal, city and private funds.

Mrs. Florence Abbey, association president, obtained the injunction to halt removal of the trees until 10 a.m. hearing today before Superior Court Judge Vincent A. Whelan. The City Council and City Mgr. Tom Fletcher are defendants in the action.

Mrs. Abbey contends the trees should be retained for enjoyment by the citizens and maintains the west wing could be built at another location.

Les Earnest, city park and recreation director, said the trees were removed Tuesday and that the firm doing the work was not informed of the court action until that evening.

Earnest said all tree cutting ceased in the park yesterday but crews were on duty clearing up debris from trees taken out Tuesday.

In a briefing for the city Park and Recreation Commission, Earnest said he was sure the issue would be resolved today.

"We are on a tight schedule because of the federal grant for construction," Earnest said. "The federal government requires that work be under way within 120 days

after the grant is approved or it will be withdrawn."

The federal government, under the accelerated public works program, is contributing \$804,000 of the construction costs. A total of \$200,000 in city funds and \$604,000 from the Fine Arts Society of San Diego will be added.

Some members of the commission questioned the protective association's motives in filing the court action.

"Is this being done in good faith or as harassment?" asked Adam Kupiec. "Since I have been on this commission I can't remember a solitary thing we've done that they have been in favor of."

Dr. Frank Lowe said the association members were "conscientious and sincere and should be commended for their zeal."

However, he said they are blocking progress that has to be made and blamed city problems with them on a "lack of communication."

Mrs. Mary Fay asked Lowe if he had ever attended a protective association meeting. Lowe said he had.

"They never listen to the other side," she said.

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