



Department of Conservation and Development

County Planning Commission

Wednesday, January 24, 2018 – 7:00 P.M.

STAFF REPORT

Agenda Item # _____

Project Title:	Gibson Tree Permit
County File(s):	#TP17-0033
Applicant/Owner:	Gil Gibson / Same as Applicant
Appellants:	Gabriela Odell and Bruce Tarter, Sophia and Lomit Patel
Zoning/General Plan:	Single-Family Residential (R-20) / Single-Family Residential-Low Density (SL), Open Space (OS)
Site Address/Location:	1593 Hillgrade Avenue, Alamo / (APN: 188-311-011)
California Environmental Quality Act (CEQA) Status:	The project is exempt under CEQA Guidelines Section 15304, which identifies the minor alteration of land as being exempt from review.
Project Planner:	Grant Farrington, Planner I (925) 674-7797
Staff Recommendation:	Deny the Appeal and Approve the Project (See Section II for Full Recommendation)

I. PROJECT SUMMARY

This is an appeal of the Zoning Administrator's decision to approve a tree permit to allow the removal of three existing code-protected redwood trees ranging in size from 20" to 40" in diameter and five previously removed code-protected oak and redwood trees ranging in size from 15-gallon to 24" in diameter. No development is proposed; however, the trees have been determined to be in poor health.

II. RECOMMENDATION

Staff recommends that the County Planning Commission:

- A. Deny the appeal by Gabriela Odell, Bruce Tarter, Sophia Patel and Lomit Patel; and
- B. Approve County File #TP17-0033 based on the attached findings and subject to the attached conditions of approval.

III. BACKGROUND

Previous owners of the subject property applied for a tree permit, County File #TP14-0008, to remove three code protected trees and work within the drip line of one additional tree in order to construct a new 3,552-square-foot single-family residence. The application was approved by the Zoning Administrator in 2014, with a tree restitution plan to replace the trees that were approved to be removed.

A tree permit application was submitted on July 25, 2017, requesting the removal of three redwood trees due to the decline in health. After reviewing the submittal, staff determined that five trees were removed that have not been previously approved. Four of the five trees removed were replacement trees required in the conditions of approval for County File #TP14-0008 and the fifth tree removed was not approved for removal in the 2014 tree permit application. Therefore, the five trees removed are now included in this current application.

On September 21, 2017, a Notice of Tentative Approval of a Tree Permit was mailed to adjacent property owners. Within the 10-day appeal period, two separate appeals from Sophia and Lomit Patel, and Gabriela Odell and Bruce Tarter were filed with the Department.

IV. GENERAL INFORMATION

- A. Environs – The subject property is located within a residential neighborhood in the area of Alamo. The subject property is surrounded by residential lots ranging in size from 0.39 acres to 3.5 acres in area, most of which have been developed with residential dwellings and related accessory structures. Interstate 680 is located approximately one quarter-mile north of the property, the Walnut Creek city limit is approximately one mile north of the property, and the Danville city limit is approximately three miles south of the site.

- B. Site Area Description – The subject property is a 0.53-acre (23,086 square feet), irregular shaped parcel, located at the intersection of Crest and Hillgrade Avenues. The site has a moderate slope with a few mature trees located along the northwestern and southeastern property lines. In addition, there are trees located along the southwestern extension of the property, primarily in the open space designation. The site is accessed via an 8.5-foot wide access easement connected to the corners of Crest and Hillgrade Avenues. The existing residence is located in the middle of the property.
- C. General Plan – The subject property is located within Single-Family Residential-Low Density (SL) and Open Space (OS) General Plan Land Use designations.
- D. Zoning District – The subject property is located within a Single-Family Residential (R-20) zoning district.
- E. California Environmental Quality Act (CEQA) - The proposed project is exempt under CEQA Guidelines Section 15304(a), which identifies minor alterations to land as being exempt from review.
- F. Lot Creation: The subject property was originally created on July 26, 1911, as a part of the Goolds Addition, then reconfigured through a lot line adjustment. County File #LL08-0033 was approved for the property in 2008.
- G. Prior County Files Related to the Property:
 - a. LL08-0033: An application was submitted for lot line adjustment and was approved in 2008.
 - b. TP14-0008: An application was submitted for a tree permit and was approved in 2014.

V. PROJECT DESCRIPTION

The applicant proposes to remove three code-protected redwood trees, as well as seek approval for five previously removed code-protected trees. No development is proposed. No additional work within the drip line of trees will be required. The three trees to be removed are located in the southwestern area of the property. An arborist report submitted on July 25, 2017, identifies the trees as #1, 2, and 3. Tree #1 is a 32" Coast Redwood, tree #2 is a 40" Coast Redwood, and tree #3 is a dual

stem Coast Redwood with a 30" stem and a 26" stem. All three are recommended to be removed due to poor health. In addition to the removal of the three trees, five code-protected trees, consisting of oak and redwoods ranging in size from 15-gallon trees to 24" in diameter were previously removed. These five trees were located along the southeastern property line and were designated to remain per County File #TP14-0008. Four of the five trees were replacement trees as required in previous tree permit approval and the fifth tree was identified as a tree to remain.

VI. APPEAL OF ZONING ADMINISTRATOR'S DECISION

On September 21, 2017, a "Notice of Tentative Approval" for the proposed tree permit was mailed to the adjacent property owners of the subject property. The letter advised of an appeal period extending through October 2, 2017. Two letters of appeal were received from Gabriella Odell and Bruce Tarter and Sophia and Lomit Patel on October 2, 2017. Below is a summary of the appeal points along with staff responses.

1) Appeal Letter from Gabriella Odell and Bruce Tarter of 1591 Hillgrade Ave, Alamo:

a. Appeal Point: Ms. Odell and Mr. Tarter have concerns about the trees to be removed in terms of visual effect, wind screening, privacy and that neighboring vegetation is greater than the hardship to the owner. The trees are located in an area of the property that provides screening for Ms. Odell and Mr. Tarter.

Staff Response: Staff has reviewed the arborist report submitted by the applicant on July 25, 2017 by Tim Hendricks, a certified arborist, indicating that the three subject trees which are still present on the property are in poor health and unlikely to recover. Based on the findings of the arborist report, staff recommended to the Zoning Administrator removal of the existing trees. Additionally, Condition of Approval (COA) #2(a) requires eight trees to be replanted.

b. Appeal Point: The applicant removed four trees that were planted by the previous owner in an agreement with the Ms. Odell and Mr. Tarter in exchange for the withdrawal of an appeal for County File #TP14-0008.

Staff Response: The four trees that were initially required as restitution for County File #TP14-0008 and one additional tree identified to remain were removed and as such, have been included in this tree permit application. As required in COA #2, a tree restitution plan will be required from the applicant include the planting of eight trees, minimum 15 gallons in size, species native to Contra Costa County, drought tolerant and complies with the State's Model Water Efficient Landscape Ordinance.

- c. Appeal Point: Ms. Odell and Mr. Tarter have expressed concern that the removal of the trees will be completed so the applicant will use the area for a pool.

Staff Response: There has been no proposed development for a pool submitted to the Department of Conservation and Development (DCD) at this time. As such, staff is making a recommendation based solely on the proposed project to remove the subject trees, as submitted by the applicant.

- d. Appeal Point: Ms. Odell and Mr. Tarter are concerned that the three existing trees could potentially cause soil erosion if removed.

Staff Response: Condition of approval #2(a) for County File #TP17-0033 requires a tree restitution plan of eight trees, minimum 15 gallons in size, species native to Contra Costa County and drought tolerant to be replanted on the property. Four of the eight trees are required to be located along the southeastern property line that is adjacent to the Odell and Tarter property address of 1591 Hillgrade Avenue.

- e. Appeal Point: The 40-inch redwood provides wind and visual screening for the Odell and Tarter property.

Staff Response: Condition of approval #2(a) for County File #TP17-0033 requires that four of the eight trees to be replanted must be located along the southeastern property line that is adjacent to the Odell and Tarter property address of 1591 Hillgrade Avenue.

- 2) Appeal Letter from Sophia and Lomit Patel of 1597 Hillgrade Avenue, Alamo:

- a. *Appeal Point: The Patels are concerned about the wind and visual screening the Redwood trees on the subject lot provide for their own property. Removal of the trees would reduce their privacy.*

Staff Response: Condition of approval #2(a) requires that two of the eight trees to be replanted must be located along the southwestern property line that is adjacent to the Patel lot. All eight of the trees to be replanted are now considered code-protected per Section 816-6.6004 of the County Ordinance.

- b. *Appeal Point: The Patels believe that the existing trees are not in poor health and the applicant wishes to build a pool and/or a carport in the area of the existing trees to be removed.*

Staff Response: As stated above in response to Ms. Odell and Mr. Tarter's appeal point C, there has been no proposed development submitted to the DCD at this time and staff is making a recommendation based on the information submitted. The arborist report submitted by Mr. Gibson on July 25, 2017 is from Tim Hendricks, a Certified Arborist. Mr. Gibson also submitted an additional arborist report on October 12, 2017 from Bob Peralta, a Certified Arborist. Ms. Odell also submitted an arborist report on October 30, 2017 from Torrey Young, a Certified Arborist. All three arborist reports identify the trees as being in poor health.

- c. *Appeal Point: The Patels would like the existing Redwood trees to remain because of environmental concerns to the neighboring properties and their status as code-protected trees in the community.*

Staff Response: According to the arborist report submitted by Mr. Gibson on October 12, 2017 by Bob Peralta, the existing trees to be removed are not native to the Alamo area. The conditions of approval specify that replacement trees must native to Contra Costa County and a planting and irrigation plan is to be submitted before removal of the existing trees (Condition #2 subsection A).

VII. STAFF ANALYSIS AND DISCUSSION

The subject property is located in an area of the County with Single-Family Residential-Low Density (SL) and Open Space (OS) General Plan Land Use

designations. The subject property is zoned Single-Family Residential (R-20) zoning district. The project is to remove eight trees, of which five trees have already been removed. Based on the arborist report dated July 25, 2017, the existing three trees to be removed are in poor health due to the drought from previous winter seasons and are not likely to recover. Replanting of eight trees is required as a condition of approval for this application. The eight trees will be drought tolerant trees that are consistent with the native surroundings, and will maintain their aesthetic value to both the subject property and the surrounding area. The subject trees proposed for removal are located within the developed area of the property, specifically the SL land use designation. For the reasons above, granting the requested tree permit is appropriate for the subject property and surrounding neighborhood. Further, the tree removal does not conflict with the goals and policies for the SL and OS General Plan Land Use designation and the R-20 zoning district.

VIII. CONCLUSION

As proposed, the applicant requests to remove three trees due to poor health in addition to five trees previously removed. Three certified arborist reports have been submitted to the DCD and determined that the trees are in poor health. The tree permit is consistent with the County General Plan and standards of the R-20 zoning district. No additional development is proposed on the subject property. Therefore, staff recommends that the County Planning Commission deny the appeal, and approve County File #TP17-0033 based on the attached findings and subject to the attached conditions of approval.

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #TP17-0033; GIL GIBSON (APPLICANT & OWNER);

I. FINDINGS

Required Factors for Granting Permit. The Zoning Administrator is satisfied that the following factors as provided by County Code Section 816-6.8010 for granting a tree permit have been satisfied:

- The arborist report indicates that the subject trees are in poor health and cannot be saved, and
- The Deputy Director, Community Development Division is satisfied that the issuance of a permit will not negatively affect the sustainability of the resource.

II. CONDITIONS OF APPROVAL FOR COUNTY FILE #TP17-0033

1. General - The application for Tree Removal to remove three code protected redwood trees ranging in diameter size from 20" to 40" in addition to five previously removed code protected redwood and oak trees ranging in size from 15-gallon trees to 24" in diameter based on the following documents:
 - Application materials submitted to the Department of Conservation and Development, Community Development Division (CDD) on July 25, 2017;
 - Arborist report for the project prepared by Tim Hendricks, a certified arborist, received July 25, 2017; and
 - Arborist report for the project prepared for Bob Peralta, a certified arborist, received on October 12, 2017.

This permit shall be valid for a period of **six months** and may be renewed for one additional period by the Director upon request by the applicant.

2. Required Restitution for Approved Tree Removal - The following measures are intended to provide restitution for the trees that have been approved for removal.
 - A. Tree Restitution Planting/Irrigation Plan – ***Within 30-days of the effective date of this approval or prior to any tree removal***, whichever occurs first, the applicant shall submit a tree planting and irrigation plan prepared by a

licensed arborist or landscape architect for the review and approval of the Community Development Division (CDD). The plan shall provide for the planting of at least **eight trees, minimum 15-gallons** in size, species native to Contra Costa County and drought tolerant. The plan shall comply with the State's Model Water Efficient Landscape Ordinance or the County Ordinance, if one is adopted. The plan shall be accompanied by an estimate prepared by a licensed landscape architect or arborist of the materials and labor costs to complete the improvements on the plan.

The eight trees required for replanting shall consist of the following:

- 1) Four of the trees to be planted will be placed within reasonable distance of the southeastern property line adjacent to parcel number 188-311-002.
- 2) Two of the trees to be replanted will be placed within a reasonable distance of the southwest property line adjacent to parcel number 188-311-010.

- B. Required Security to Assure the Completion of Plan Improvements - ***Within 30-days of the effective date of this approval or prior to any tree removal, whichever occurs first***, the applicant shall submit a security (e.g., bond, cash deposit) that is acceptable to the CDD. The bond shall include the amount of the approved cost estimate, ***plus*** a 20% inflation surcharge. Until evidence is submitted that the applicant has satisfactorily installed the required improvements, the County may hold the security for up to two years following the exercise of this permit.
- C. Initial Fee Deposit for Processing a Security - The County ordinance requires that the applicant pay fees for all time and material costs of staff for processing a landscape improvement security (Code S-060B). At time of submittal of the security, the applicant shall pay an initial deposit of \$100.
- D. Duration of Security – ***No later than 30 days after the tree removal is complete***, the consulting arborist shall verify that the replacement trees and landscape plan have been properly implemented; and when verified, notify the CDD in writing. The security shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the written verification of the installation. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the replacement trees and prepare a report on the trees' health. In the event that the CDD determines that the replanted

tree(s) have been damaged or have died, and determines that the applicant has not been diligent in providing a replacement, then the CDD may require that all or part of the security be used to provide for replacement of the dead or damaged tree(s).

Arborist Expense

3. Arborist Expense - The expenses associated with all required arborist services shall be borne by the developer and/or property owner.

Fees

4. This application is subject to an initial application deposit of \$500.00, which as paid with the application submittal, plus time, and material costs in the application review expense exceeds 100% of the initial deposit. **Any additional costs due must be paid prior to issuance of a building permit, commencement of tree alteration work, or 60 days of the effective date of this permit whichever occurs first.** The fees include costs through permit issuance plus five working days for file preparation. The applicant or owner may obtain current costs by contacting the project planner. A bill will be mailed to **the applicant** shortly after permit issuance in the event that additional fees are due.

CONSTRUCTION PERIOD RESTRICTIONS AND REQUIREMENTS

5. The applicant shall comply with the following restrictions and requirements:
 - A. Construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on state and federal holidays on the calendar dates that these holidays are observed by the state or federal government as listed below:

- New Year's Day (state and federal)
- Birthday of Martin Luther King, Jr. (state and federal)
- Washington's Birthday (federal)
- Lincoln's Birthday (state)
- President's Day (state and federal)
- Cesar Chavez Day (state)
- Memorial Day (state and federal)
- Independence Day (state and federal)
- Labor Day (state and federal)
- Columbus Day (state and federal)
- Veterans Day (state and federal)

Thanksgiving Day (state and federal)
Day after Thanksgiving (state)
Christmas Day (state and federal)

For information on the calendar dates that these holidays occur, please visit the following websites:

Federal Holidays:

http://www.opm.gov/Operating_Status_Schedules/fedhol/2018.asp

California Holidays:

http://www.edd.ca.gov/payroll_taxes/State_Holidays.htm

- B. Transportation of large trucks and heavy equipment is subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.
- C. A good faith effort shall be made to avoid interference with existing neighborhood traffic flows.
- D. All internal combustion engines shall be fitted with mufflers that are in good condition and stationary noise-generating equipment such as air compressors shall be located as far away from existing residences as possible.
- E. Construction equipment and materials shall be stored onsite.
- F. The construction site shall be maintained in an orderly fashion. Litter and debris shall be contained in appropriate receptacles and shall be disposed of as necessary.
- G. Any debris found outside the site shall immediately be collected and deposited in appropriate receptacle.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

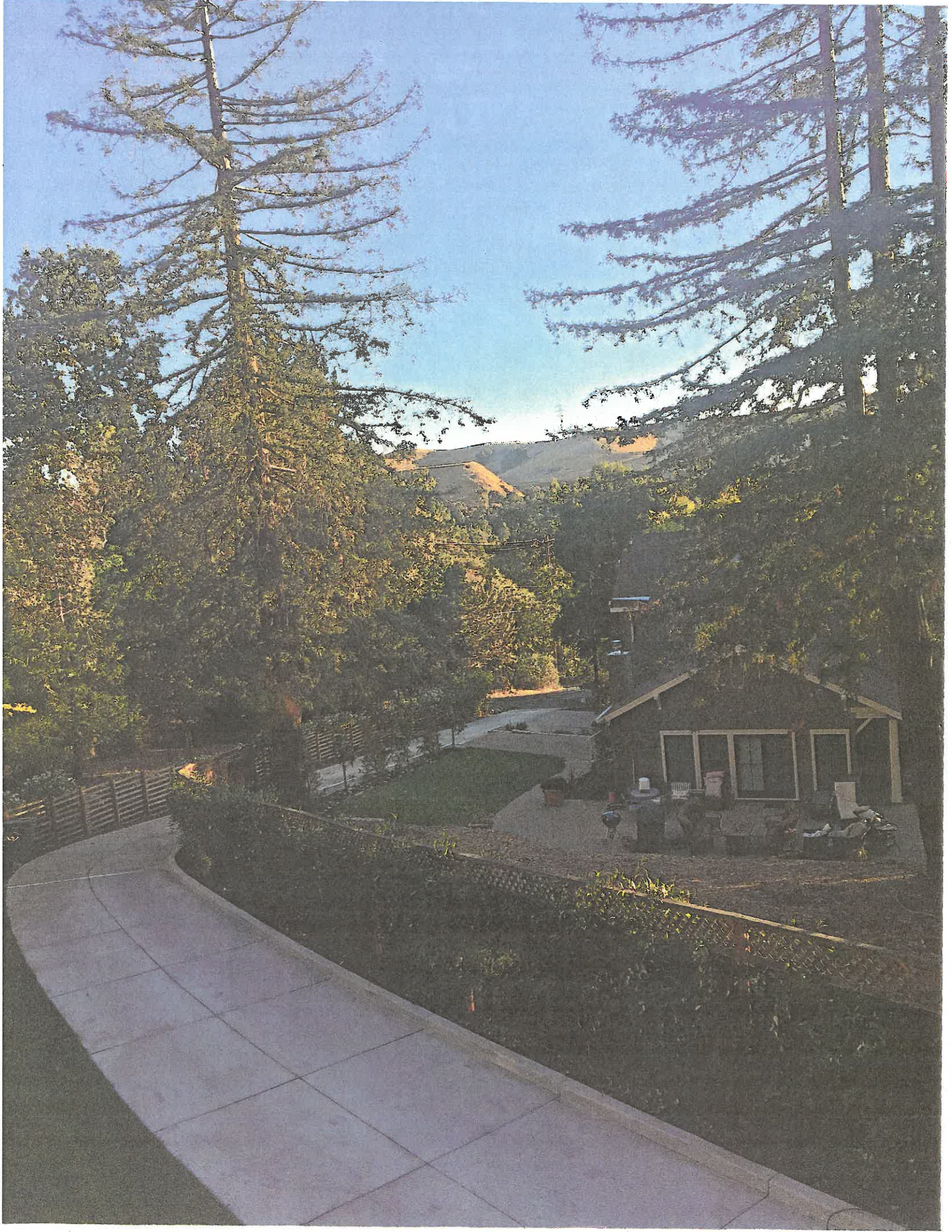
- A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

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ALAMO, CA 94507
2017 OCT -2 AM 10:48
APPLICATION & PERMIT CENTER

Gabriela Odell
Bruce Tarter
1591 Hillgrade Ave.
Alamo, CA 94507

October 2, 2017

Department of Conservation and Development
30 Muir Rd.
Martinez, CA 94553
Attn: Grant Farrington

Re: Appeal of tentative tree cutting permit
County File Number #TP17-0033

Dear Mr. Farrington:

This is an appeal to the Notice of Tentative Approval of a Tree Permit. The tree cutting permit should be denied because it violates Article 816-6.8010 subsection (3) (D) which states that:

The value of the tree to the neighborhood in terms of visual effect, wind screening, privacy and neighboring vegetation is greater than the hardship to the owner.

These are trees that were required to be spared when the previous owner submitted his building permit. These trees not only provide screening between us and our neighbors, and protection from heat and soil erosion, but provide a majestic presence which cannot be duplicated by any replacement trees. The only basis submitted by the owner of the property for cutting the trees is an opinion by a single tree cutting company that they are unhealthy. The owner happens to be a landscape developer who likely has simply hired one of his vendors to say what is convenient for his purposes. In fact, the owner blatantly removed the four trees that the county had required the builder to plant as part of a settlement between us and the builder in exchange for not appealing the prior tree removal permit.

I have reason to believe, based upon what one of the owners mentioned to me, is that they wish to use the areas inhabited by the trees to build a pool. The alleged distressed condition of the trees is simply a pretext.

As I noted in a previous letter, it does not appear that we will have the opportunity to obtain an independent second opinion as to the health of the trees that are being removed. We wish to obtain an opinion as to whether the trees cannot, in fact, be salvaged. It is ironic that a property which was subdivided and developed by gerrymandering the property lines to meet the half acre requirement, where many redwood trees were already removed to build an overly large house, now is being allowed to remove the last remaining trees which were probably distressed from the grading and development that shouldn't have been allowed in the first place.

We are also concerned by soil erosion that may be caused by the tree removal. Since we have lived here we have had significant mud flows from the property every winter. These mud flows will only get worse with the removal of these trees. One tree in particular, the 40-inch redwood, does not appear particularly unhealthy and provides significant screening for our property which will be difficult to duplicate within our lifetimes.

We therefore wish to appeal the determination and have an opportunity to obtain a second independent opinion. If the trees are determined to be unsalvageable, we wish to have input into any remediation plans to provide screening as well protection from mud flows.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Gabriela Odell', written in a cursive style.

Gabriela Odell

October 1, 2017

Grant Farrington
Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553

2017 OCT -2 AM 10:48
APPLICATION & PERMIT CENTER

Re: County File #TP17-0033

Dear Mr. Farrington:

I am writing in regard to your Notice of Tentative Approval of Tree Permit for Assessor Parcel # 188-311-011. We share a property line with the aforementioned lot and feel the request is misrepresented and false that all six remaining protected Redwood trees on the property are in poor health. We are requesting the permit be denied due to the fact that it violates Article 816-8010 subsection (3) (D), which states: "the value of the trees to the neighborhood in terms of visual effect, wind screening, privacy and neighboring vegetation is greater than the hardship of the owner."

More specifically,

1. These Redwood trees provide necessary screening and privacy between our properties (see corresponding photos). The majority of these Redwoods fall on the border of our property line, which were guaranteed to remain when we purchased our home April 2016 from the original developer. The value these trees provide both in privacy, screening, soil preservation and home value are irreplaceable in our or our children's lifetime.
2. Our neighborhood believes the Request for Approval of Tree Permit was submitted under false pretenses, so the parcel owner could build a pool and/or a carport for additional parking of vehicles. The arborist used is also a business associate of the parcel owner representing a conflict of interest. We are contesting the claim that these Redwoods are all in poor health and are prepared to submit an independent arborist report.
3. The unincorporated city of Alamo prides itself on the nature and beauty of its giant Redwood and Oak trees. The removal of these state protected Redwood trees goes against our community's beautification standards and expectations for nature and privacy.
4. Redwood trees are protected because they are part of a complex community of living things interacting with their environment. Our community's ecosystem depends on Redwoods and they should be protected by the Department of Conservation and Development.

We are looking forward to your assistance in helping to save these vital and precious Redwoods in our community and encourage you to conduct a thorough investigation.

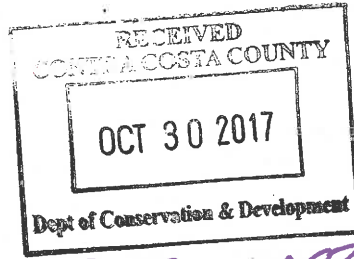
Kind regards,


Sophia & Lomit Patel

Dryad, LLC

October 23, 2017

Garbriela Odell
1591 Hillgrade Ave.
Alamo CA 94507



17065-10168

RE.: Evaluation of trees relative to a tree permit appeal.
Contra Costa County file no.: TP17-0033.
Site: Gil Gibson, 1593 Hillgrade Ave., Alamo.

Ms. Odell;

I am writing in response to your request for a report of my recent inspection and evaluation¹ of three CA coast redwood trees (*Sequoia sempervirens*) proposed for removal.

The trees are located on the property adjacent (north) of yours, 1593 Hillgrade Ave. I met with you and inspected and photographed the trees on October 19, 2017. I performed a visual inspection, in your company and assisted by Katie Krebs, Certified Arborist². Mr. Gil Gibson's son was also intermittently present and I also subsequently received a brief telephone call from Mr. Gibson.

I did not enter the property of 1593 Hillgrade Ave. and performed no advanced investigation processes. I also reviewed the site via historical images on Google earth®. I reviewed several arborist reports and other communications you provided. The reviewed documents included the following:

1. A letter-report from Brightview to Gil Gibson, subject: Consulting Arborist Report 50 1593 Hillgrade Ave.", signed by Bob Peralta and dated 10/12/2017.
2. Letter from Gabriela Odell to Mr. Farrington, Department of Conservation and Development, entitled "Appeal of tentative tree cutting permit, County File Number #TP17-0033", signed by Gabriela Odell and dated 10/02/2017.
3. Letter from Contra Costa County to Property Owner (Gil Gibson), entitled "Notice of Tentative Approval of a Tree Permit", signed by Ruben L. Hernandez and dated 09/21/2017.
4. Letter-report from Tim Hendricks, untitled, unsigned and undated (cites an inspection of 04/08/2017).
5. Letter from McKee Associates to Daniel Barrios, Planner, Contra Costa County, Subject: Landscape Plan, signed by Steven McKee, Project Architect and dated 08/29/2014.
6. Report from Waraner Tree Experts to Steven McKee, entitled "Tree Assessment at 1597 (sic) Hillgrade Ave., Alamo CA 94507", signed by Dustin Waraner and dated 01/27/2014.

Although I reviewed these documents, they did not contain information substantial to the formation of my opinions regarding either the history of the trees or their current condition and my recommendations for the subject trees.

SUMMARY: I do not have a history of these trees as to the extent of impacts from adjacent construction and grading activities (i.e., slope, construction, driveway, etc.) and I was able to perform only a visual inspection from adjacent properties. However, current signs of decline were obvious and consistent with my observations of the historical condition of the trees and site via Google earth® aerial images. I did not observe any conditions that appeared to be from insect infestation or disease. Therefore, it seems likely the trees, appearing dense and vigorous in historical aerial images, were impacted by grading activities (root loss, compaction, etc.) exacerbated by having occurred during a period of extended drought.

Based upon research, observation and described assumptions as well as my professional knowledge and experience, it is my opinion that these three CA coast redwood trees will likely recover from their current condition and can thrive for many years in this location (refer to images on pages 9-10). Supportive efforts and periodic management would enhance recovery.

Dryad, LLC

35570 Palomares Rd.
Castro Valley CA 94552

PHONE: (510) 538-6000
FAX: (510) 538-6001
E-MAIL: tyoung@dryadllc.com
WEB SITE: www.dryadllc.com

OBSERVATIONS/RECOMMENDATIONS:

Tree no. 1:

Observations:

- Top dead for approximately 10-12 feet.
- 1 major limb dead at about 5-0% height (cause unknown).
- Dieback of branch tips throughout canopy³.
- Canopy volume thin.
- Trunk taper⁴ good.
- Architecture⁵ good.
- Foliage of good color and limbs sprouting profusely throughout canopy.

Recommendations:

1. Remove the dead top to viable tissue (preserve as much viable wood as possible but cut to 360° of live cambium⁶).
2. Remove the large dead limb and any other deadwood as necessary to avoid risk (only).
3. After 2-3 year of growth, perform structural pruning⁷ of the top sprouts, preferably preserving only one top.
4. Follow recommendations for all trees (following).

Tree no. 2:

Observations:

- 4 codominant⁸ stems, 3 at just above grade and one at approximately 15-20 above grade (w/acute-angle attachment and included bark⁹).
- Canopy volume extremely thin.
- Recently pruned, green branches litter the area beneath the tree.
- Recent pruning cuts were apparent on all trunks.
- 1 trunk to the north had the majority of its limb removed and punctures from gaffs (climbing spikes)¹⁰ were apparent for the entire height of the trunk.
- Poor Trunk taper of all 4 trunks.
- Foliage of good color and limbs sprouting profusely throughout canopy.

Recommendations:

1. Install a box cable system¹¹ between consecutive trunks; consider installation of through-bolts in the high bifurcation some years in the future.
 - a. Avoid excessive cable tension.
 - b. Anchor with drop-forged through bolts or machine-threaded through-bolts with amon nuts, appropriately sized.
 - c. ¼" EHS (extra high strength) steel cable and all hardware must be intended for arboricultural use.
2. Follow recommendations for all trees (following).

Tree no. 3:

Observations:

- Canopy volume thin.
- Recently installed or rebuilt driveway within a few feet of the tree root flare; extent of root damage unknown.
- Trunk taper good.
- Architecture good.
- Codominant tops developing.
- Foliage of good color and limbs sprouting profusely throughout canopy.

Recommendations:

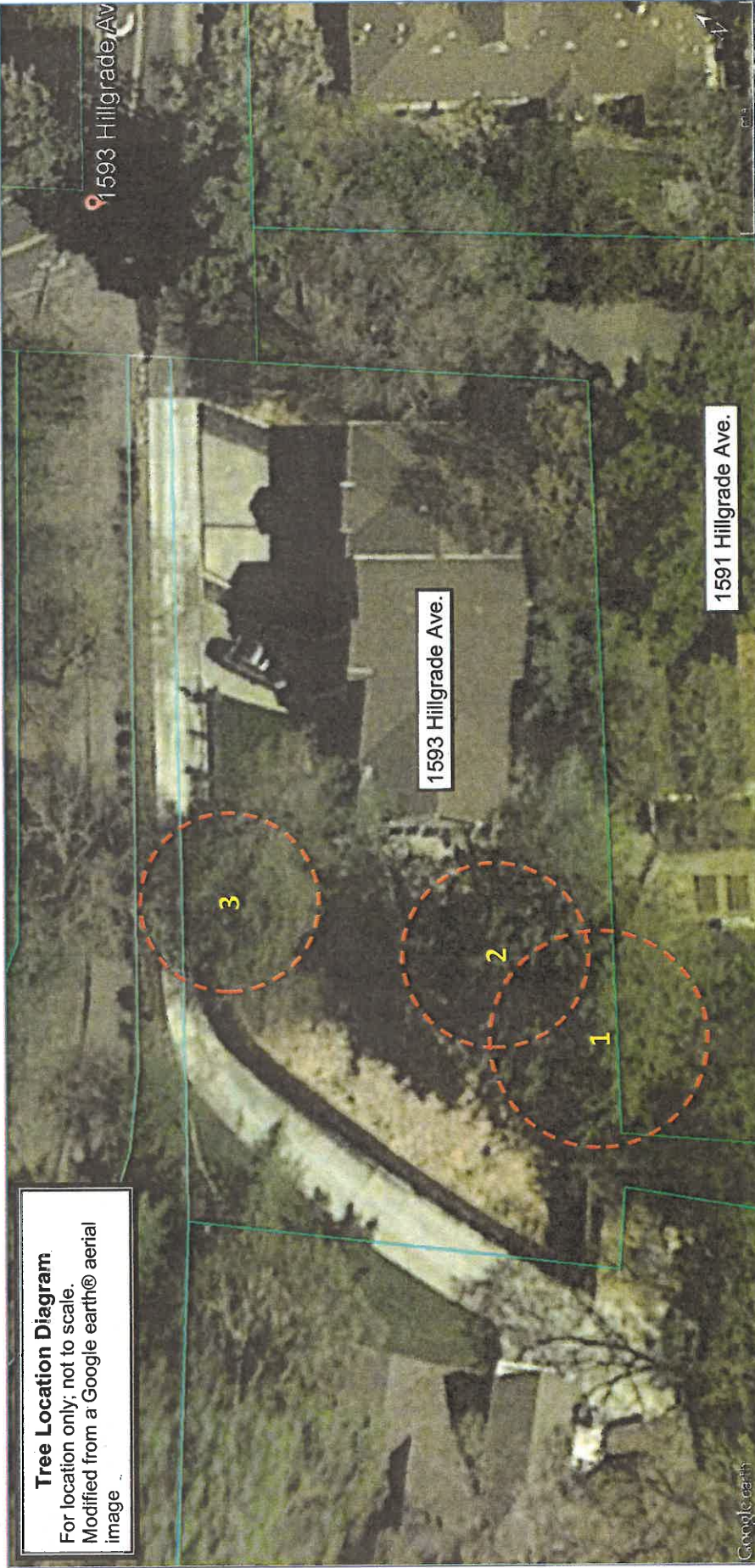
1. Remove smaller of the codominant tops while still small (long term management only).
2. Follow recommendations for all trees (following).

RECOMMENDATIONS (ALL TREES):

1. Mulch¹²: Cover exposed soil within at least the dripline areas of all three trees with an organic mulch (tree brush chips preferred) to a settled depth of no less than 3-4 inches. If retention is required, install jute netting on bare soil. Do not install landscape (weed-block) or geotextile fabric.
2. Irrigation: Irrigate as necessary, via slow-application (drip) irrigation, to near field capacity¹³ to a depth of approximately 12-18". Repeat irrigation as needed to maintain soil moisture during extended periods of drought and/or heat.
3. Grading cut to northeast of trees 1 & 2: Cut encountered roots cleanly with hand pruners or power saw.
 - a. Avoid tearing, dislodging of bark (or epidermis) or otherwise disturbing that portion of the root(s) to remain.
 - b. Immediately back-fill with soil to cover, and moisten.
 - c. If backfilling cannot be completed immediately, cover exposed roots with several layers of untreated burlap (or other similar absorbent material) or sand, mulch or soil and keep moist until permanent backfilling can be completed.
4. Pruning¹⁴: Avoid removal of any live foliage or other tissue (wood, roots) now or in the future; remove only dead branches that present risk should they fall.



October 23, 2017
Torrey Young, Dryad, LLC
17065-10168 Odell, Gabriela
Site: 1593 Hillgrade Ave., Alamo



Tree Location Diagram
For location only; not to scale.
Modified from a Google earth® aerial
image



Dryad, LLC

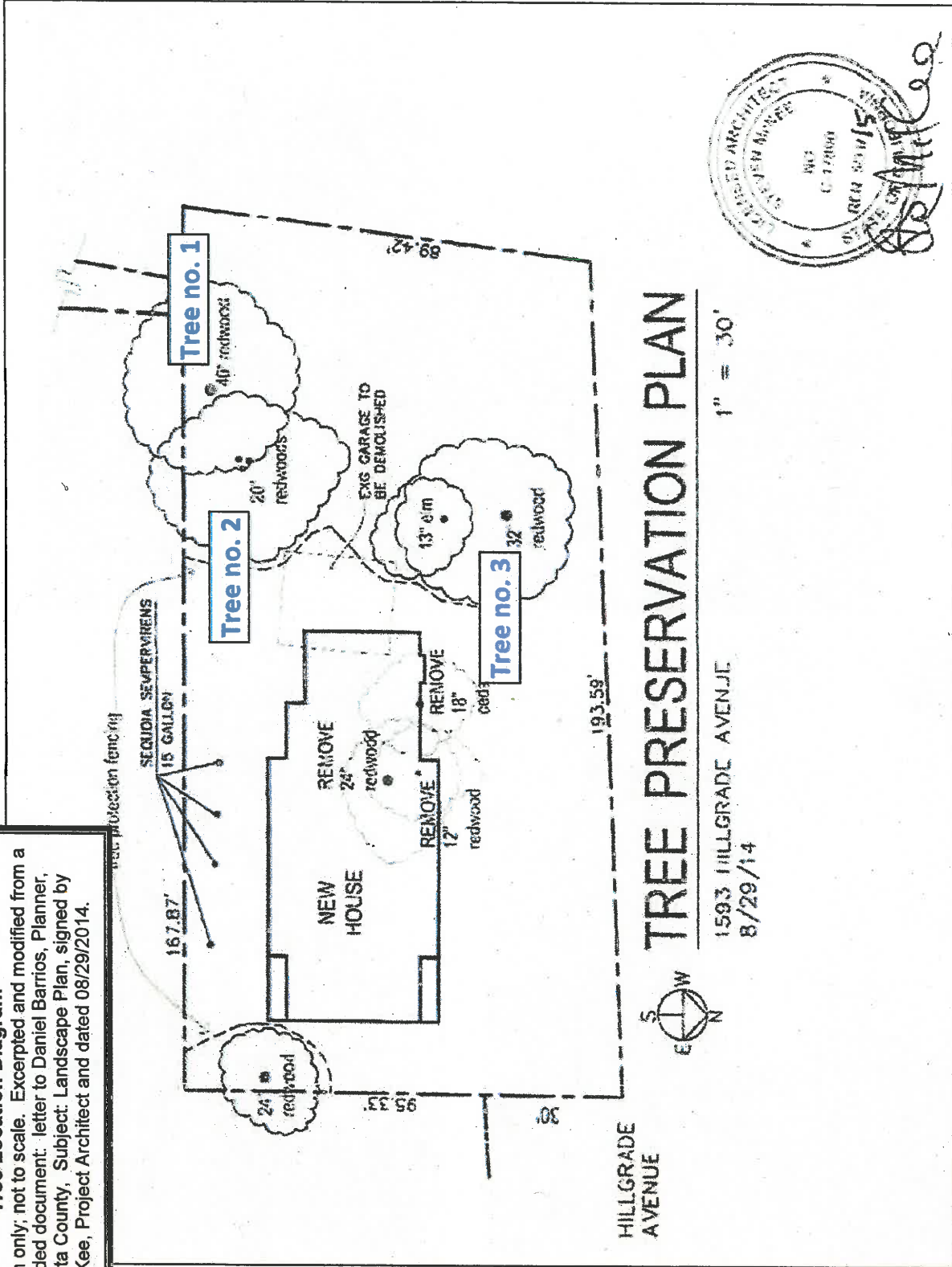
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Castro Valley CA 94552

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October 23, 2017
 Torrey Young, Dryad, LLC
 17065-10168 Odell, Gabriela
 Site: 1593 Hillgrade Ave., Alamo

Tree Location Diagram

For location only; not to scale. Excerpted and modified from a client-provided document: letter to Daniel Barrios, Planner, Contra Costa County, Subject: Landscape Plan, signed by Steven McKee, Project Architect and dated 08/29/2014.



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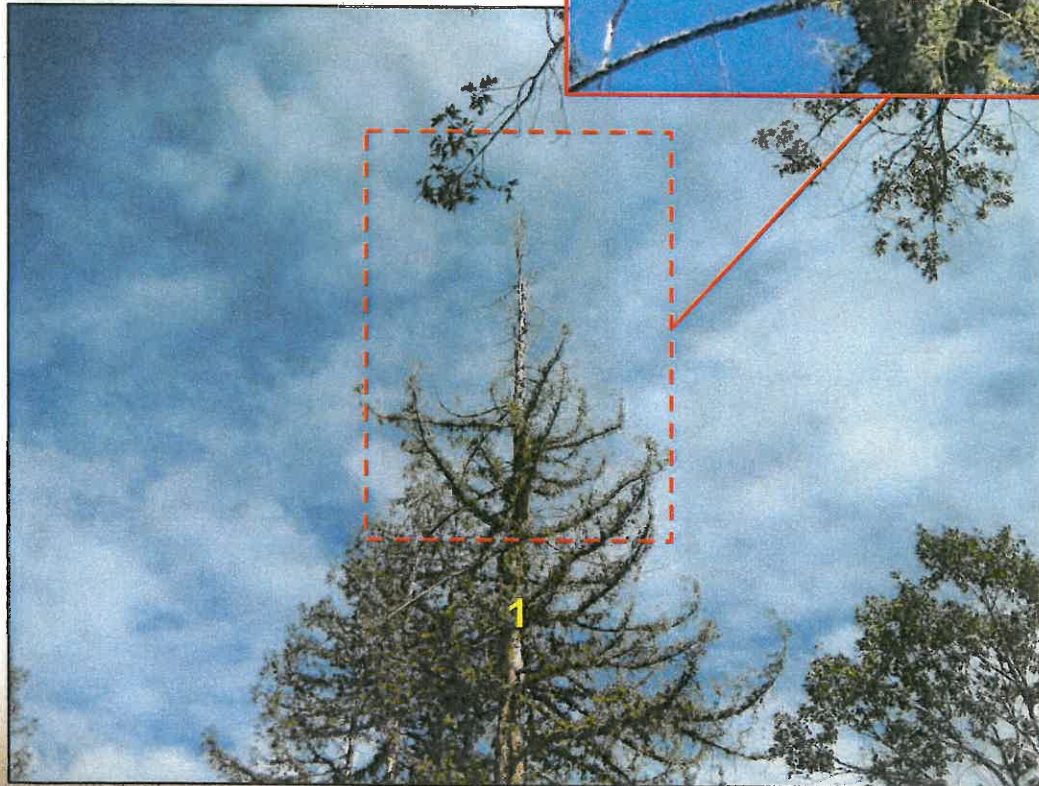
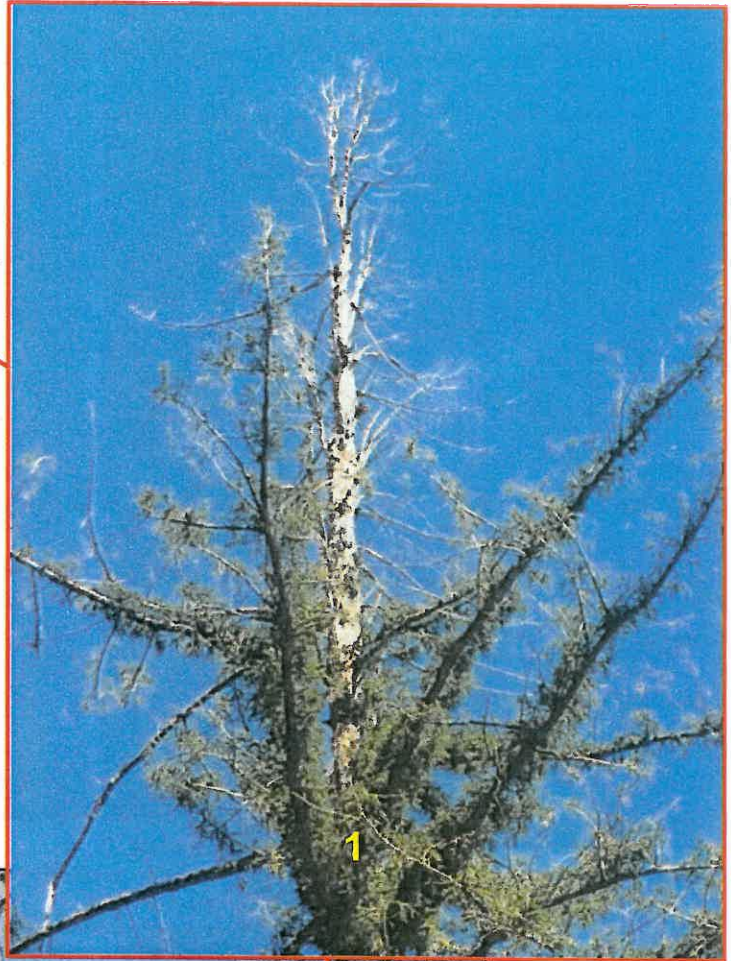
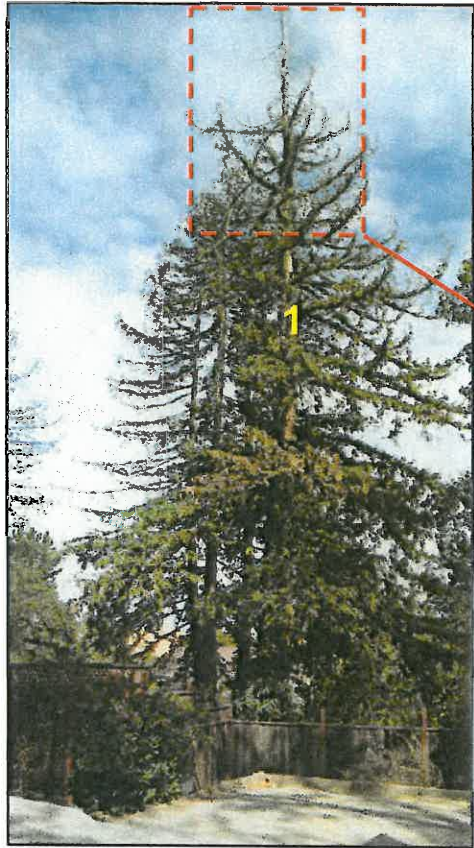


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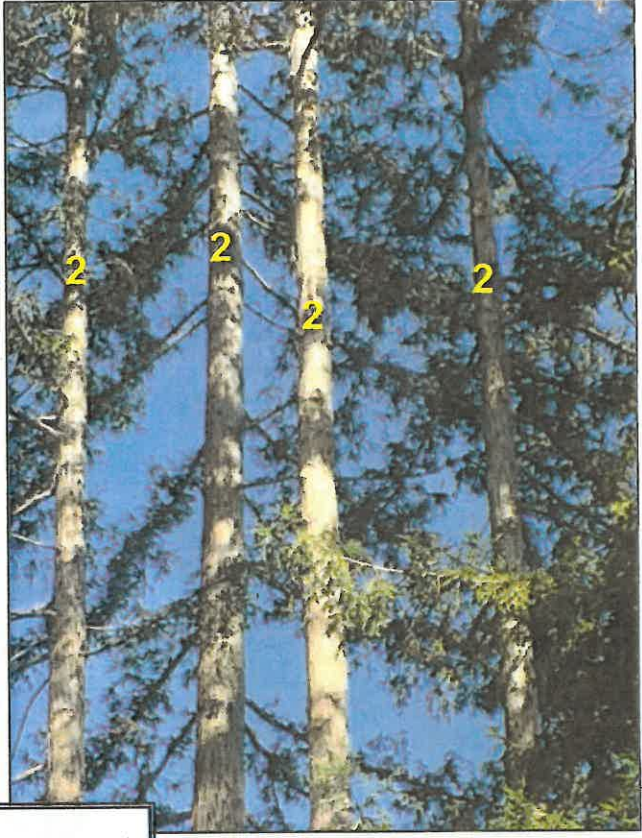
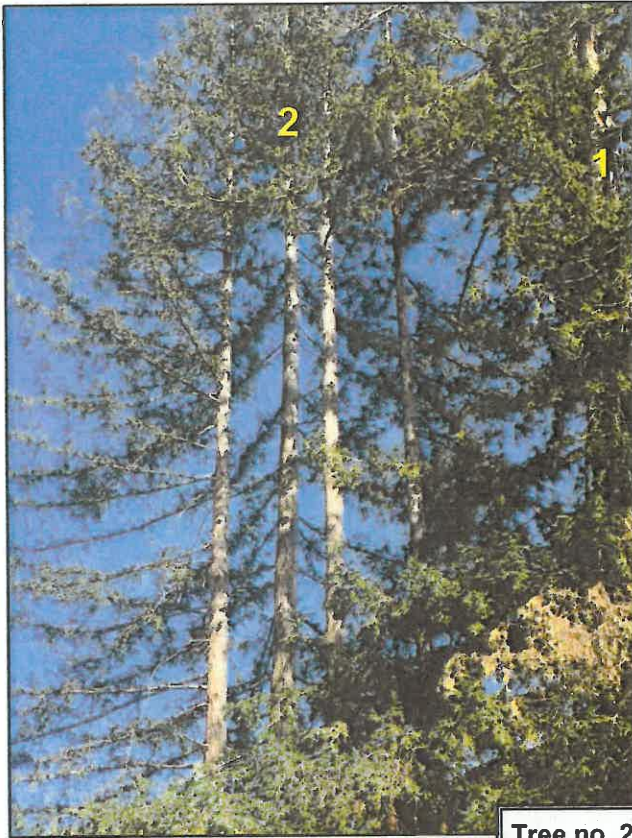
October 23, 2017
Torrey Young, Dryad, LLC
17065-10168 Odell, Gabriela
Site: 1593 Hillgrade Ave., Alamo



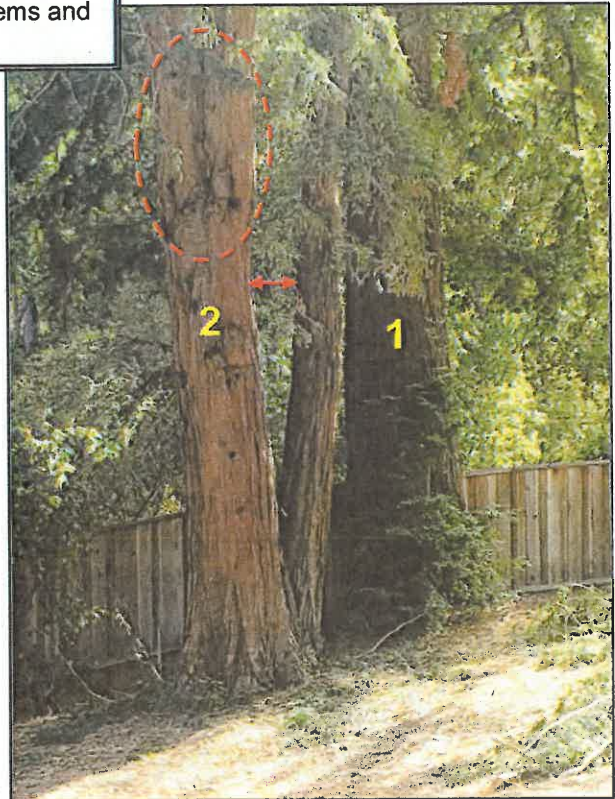
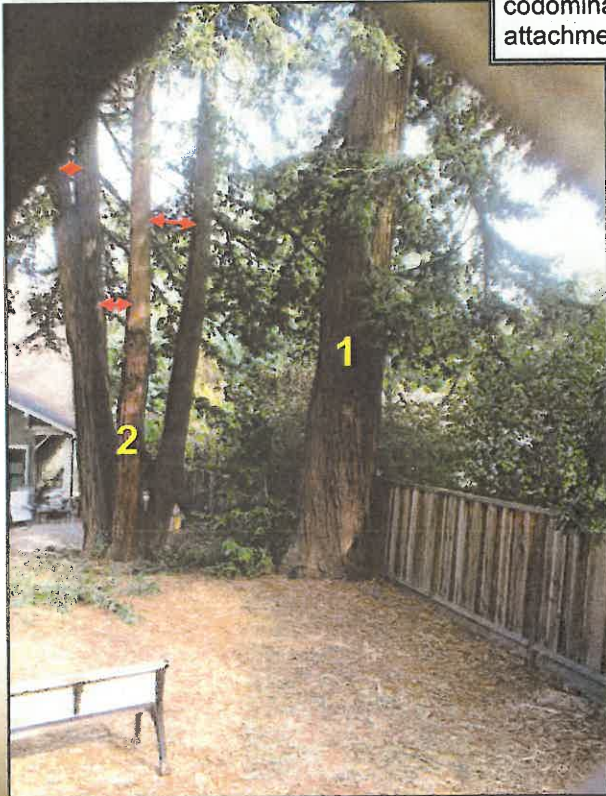
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Tree no. 2:
codominant stems and
attachments.

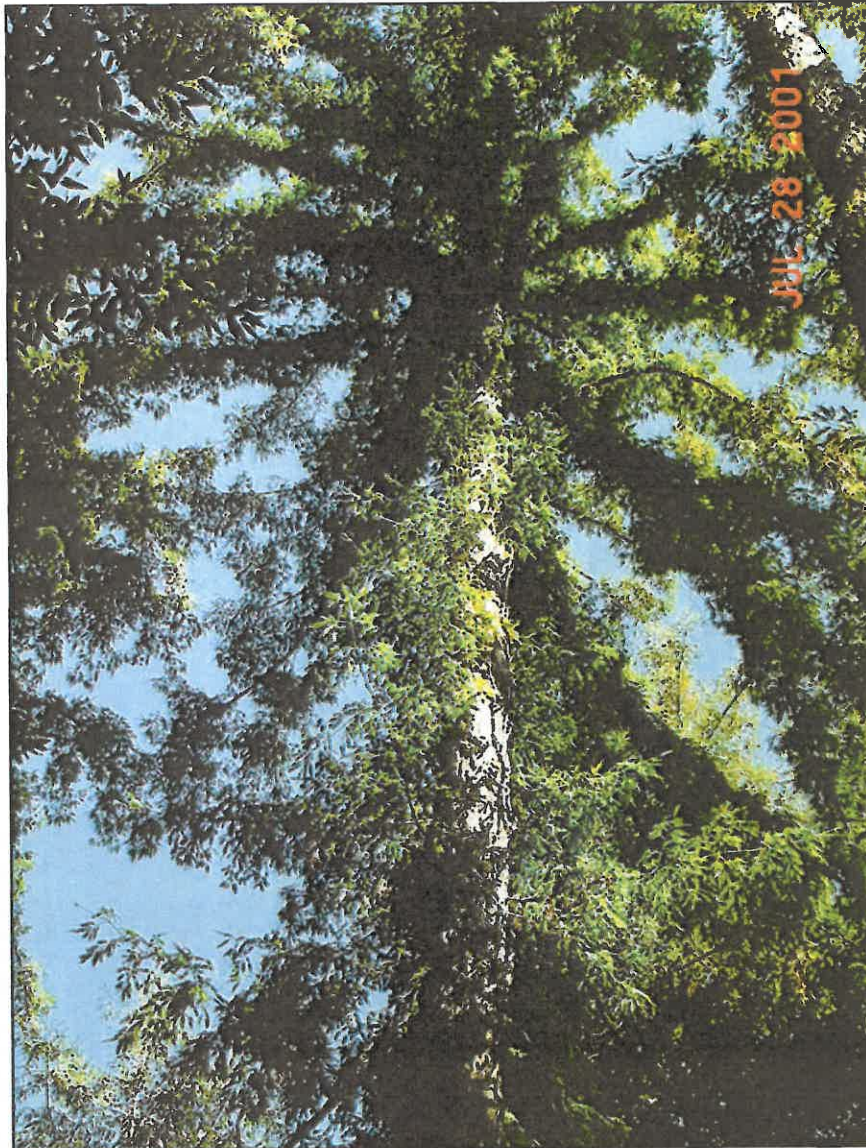




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Off-site example of redwood regeneration after excessive pruning for view clearance. Note sprouting along trunk and individual limbs.

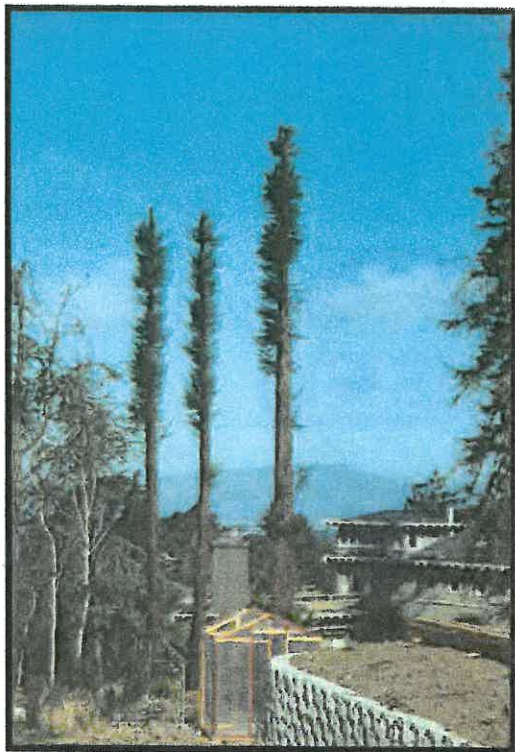


Figure 1: Redwoods after pruning of limbs and tops destroyed by fire in 1991. Photo taken August, 1992.



Figure 2 Same redwoods after natural regeneration and restorative pruning. Photo taken September, 2001.



Figure 3: Same redwoods after natural regeneration and restorative pruning. Photo taken September, 2001.

Off-site example of redwood regeneration after the Oakland Firestorm of 1991. These redwoods were completely devoid of foliage and all limbs and tops were destroyed by fire. The trunks remained alive and were left to sprout naturally. Structural pruning selected permanent tops and limbs.
(Images provided by Joseph McNeil, Consulting Arborist).

October 23, 2017
Torrey Young, Dryad, LLC
17065-10168 Odell, Gabriela
Site: 1593 Hillgrade Ave., Alamo

Please feel free to contact me for further discussion or services.

Respectfully,
Torrey Young

Digitally signed by Torrey Young
DN: cn=Torrey Young, o=Dryad, LLC,
ou, email=torrey@dryad.us, c=US
Date: 2017.10.23 19:15:30 -07'00'



Torrey Young
Registered Consulting Arborist®



ASCA Registered Consulting Arborist, no. 282
ISA Board Certified Master Arborist, no. WE-0131BM
CUFC Certified Urban Forester, no. 121
ISA Tree Risk Assessment Qualified
CA P.C. Qualified License, no. 104772
CA Contractors License no. 363372 (C-27 & D-49; inactive)



ENDNOTES:

¹ Arborist Disclosure Statement: Arborists are tree specialists who use their education, knowledge training and experience to examine trees, recommend measures to enhance their health and beauty and to attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist or to seek additional advice. Trees and other plantlife are living, changing organisms affected by innumerable factors beyond our control. Trees fail in ways and because of conditions we do not fully understand. Arborists cannot detect or anticipate every condition or event that could possibly lead to the structural failure of a tree. Conditions are often hidden within the trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, for any specific period or when a tree or its parts may fail. Further, remedial treatments, as with any treatment or therapy, cannot be guaranteed. Treatment, pruning, bracing and removal of trees may involve considerations beyond the scope of the arborists skills and usual services such as the boundaries of properties, property ownership, site lines, neighbor disputes and agreements and other issues. Therefore, arborists cannot consider such issues unless complete and accurate information is disclosed in a timely fashion. Then, the arborist can be expected, reasonably, to rely upon the completeness and accuracy of the information provided. Trees can be managed but not controlled. To live near trees, regardless of their condition, is to accept some degree of risk. Tree removal is the only way to eliminate risk associated with trees.

² Katie J. Krebs, Consulting Arborist; ISA Certified Arborist #WE-8731A, ISA Tree Risk Assessment Qualified.

³ Canopy: One of several accepted terms describing that area of a tree which includes limbs, branches, foliage, and to a lesser degree, upper stems (synonymous with 'foliage crown').

⁴ Taper: (of stems & limbs) the increase in diameter towards the base of stems (trunks) and limbs that is typical and desirable in woody plants. Degree of taper is influenced by a variety of factors including foliage, limb and branch distribution, species, location (sunlight), wind patterns, pruning, etc. Insufficient taper results in a concentration of stress from movement towards the base of the limb or stem, resulting in a greatly increased potential for breakage or uprooting. Pruning that removes interior lateral branches from limbs and/or lower limbs from trunks dramatically reduces taper development.

⁵ Architecture: (as employed in this report) the arrangement of the (external) parts of a tree; primarily refers to the foliage crown including major (scaffold) limbs, lateral branches and trunks.

⁶ Cambium: A very thin layer of living cells (a meristem) between the sapwood (xylem) and the bark (phloem and cork cambium) of woody plants that provides for growth through cell division.

⁷ Restoration pruning (crown restoration): A pruning standard referring to selective pruning cuts to improve the structure and appearance of trees that have been headed (i.e., topped, stubbed) or otherwise severely damaged or improperly pruned; several pruning events over a period of years may be required to achieve goals with minimal negative impact.

ANSI A300 Part 1 – Pruning (2017): restoration: Pruning to redevelop structure, form, and appearance of topped or damaged woody plants

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⁸ Codominant: Refers to branch, limbs or trunks of similar size and height or length competing for the same space and/or role within the tree's architecture; frequently originating at acute angles from each other, with bark remaining (included) between the components (in the crotch). Such attachments are inherently weak and worsen with time through the pressure of opposing growth and the increasing weight of wood and foliage, frequently resulting in the failure of one or both (all).

⁹ Acute-angle attachments (crotches): Branch/limb, limb/trunk, or codominant trunks originating at acute angles from each other. Bark remains between such crotches, preventing the development of a branch-bark ridge (branch collar). The inherent weakness of such attachments increases with time, through the pressure of opposing growth and increasing weight of wood and foliage, frequently resulting in failure.

¹⁰ Gaffs: (aka: spurs, spikes, hooks, climbers, irons, etc.) Sharp, pointed devices strapped to a climber's lower legs used to assist in climbing trees (ANSI A300 (Part 1)-2008, Section 4 Definitions, 4.10). "Climbing spurs shall not be used when entering and climbing trees for the purpose of pruning or other tree maintenance, except in situations where other means are impractical, such as:

- Remote/rural utility rights-of-way;
- When branches are more than throw-line distance apart and there is no other means of climbing the tree;
- When the outer bark is thick enough to prevent damage to the inner bark or cambium; and,
- Emergency operations (see subclause 8.10)."

American National Standards Institute, 2017. Standard Practices for Tree, Shrub and other Woody Plant Maintenance (Pruning), American National Standards Institute (ANSI A300 Part 1-2017), 8.2 Work Practices, 8.2 Work Practices, 8.2.2.2:

¹¹ Cabling & Bracing: The installation of hardware in and/or about trees for the purpose of providing supplemental support of weak, defective or otherwise suspect limbs and/or stems; supporting of newly planted trees; bracing cracks; propping trees or limbs, or otherwise providing support. The installation of cables, bolts and other hardware in trees is intended to reduce the potential for failure (breakage/uprooting). Such bracing does not permanently remedy structural weaknesses, and is not a guarantee against failure. The trees and hardware must be inspected periodically for hardware deterioration, adequacy and changes in the tree's and site condition.

Cabling & Bracing Standards: The most current revisions of *Best Management Practices, Tree Support Systems, Cabling, Bracing, Guying and Propping*, International Society of Arboriculture ; *Tree Care Operations Trees, Shrubs and Other Woody Plant Maintenance-Standard Practices (Supplemental Support Systems)*, American National Standards Institute [ANSI A300 (Part 3)].

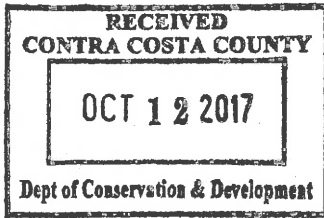
¹² Mulch: Organic materials (e.g., brush chips, compost, processed wood chips, etc.) spread upon the soil for a variety of benefits: aesthetics, retains soil moisture, moderates soil temperatures, improves soil structure and increases fertility, protects against compaction, suppresses weeds, etc. Torrey Young, Dryad, LLC highly recommends fresh, brush chip mulch over processed materials. (Note: Elsewhere, the definition of *mulch* may include non-organic materials.)

¹³ Field capacity: The maximum volume of moisture a soil can hold after drainage has occurred. An expression of the water-holding capacity and moisture status of soils.

¹⁴ Pruning: Proper pruning is performed in a manner intended to achieve a specific goal while minimizing the negative effects on the plant (tree). Improper pruning is that which may not be coupled with a specific goal, may not employ techniques consistent with the identified goal, or may result in significant negative physiological and/or structural impacts on the plant.

Pruning standards: The most current revisions of the following standards, developed by a consensus of representatives from various industry professional organizations; American National Standards Institute. *Standard Practices for Tree, Shrub and other Woody Plant Maintenance (Pruning)*, American National Standards Institute (ANSI A300 Part 1) and International Society of Arboriculture, 2008 . *Best Management Practices, Tree Pruning*, International Society of Arboriculture.





TP 17 - 0033

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925-957-8833 fax



October 12, 2017

Gil Gibson
1593 Hillgrade Avenue
Alamo, CA 94507

Subject: Consulting Arborist Report for 1593 Hillgrade Avenue

Dear Gil,

Thank you for asking me to provide a Consulting Arborist Report for the (3) Redwood trees (*Sequoia sempervirens*) located at 1593 Hillgrade Avenue in Alamo, California. The purpose of my site visit and inspection of the redwood trees is to evaluate the health and safety of the (3) redwood trees. I inspected these trees on October 12, 2017.

Coastal redwoods are not Native to the Alamo area and these three trees were most likely were planted some time ago from nursery stock. Alamo has a micro climate where winters can be dry and cold with summers reaching temperatures above 80 degrees for several months with very little summer fog reaching this area. The opposite is needed to have long lasting redwoods where the weather is cool and wet with long periods of summer fog. Urban redwoods even with plenty of irrigated water and wet winters can decline in these conditions. In some cases where redwoods are growing in concentrated groves they can stay healthy for many years. In hillsides such as yours with little protection redwood trees struggle to stay healthy.

My inspection found that your trees are typical of what we are seeing all over the Bay Area. This past winter we did have an above normal amount of rainfall followed by a typical nine month cycle of no rain. Prior to that we were in severe drought where many Native trees growing in non-native areas struggled. As a result the tops of the trees and defoliation of needles causes redwoods to decline. Once the tops decline and the needles become sparse the trees dry out even quicker and we start to see rapid decline. I did not see any visible pests, the roots are in good shape.

The first tree I inspected is a triple leader from ground level (Attachment 1) and four leaders 20 feet up (Attachment 2). I recommend this tree be removed for safety and liability. There is no way to safely prune or remove a leader to make this tree safe. The second tree next to the fence (Attachment 3) is a large 40"Dbh., with severe decay in the canopy and several branches. The needles on this tree are also sparse throughout the canopy. The redwood tree will continue to decline and make it difficult to remove when dead. Removing the deadwood will not make the tree healthier. I recommend this tree be removed before it completely fails. The last tree is also in moderate decline with little to no new growth on the tips. This is a very sparse branch structure with poor needle growth. This tree recently had severe root damage from the new driveway and gutter right next to the root flare (Attachment 5). This is not the contributing factor to the decline but like the above factors also contributed to the decline. This tree is in decline and will eventually fail. I do recommend this tree be removed due to the location to your home and possible root excavation from the road.

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Please give me a call if you have any questions.

Bob Peralta

Bob Peralta
Certified Arborist WE-7150A
ASCA Consulting Arborist #505

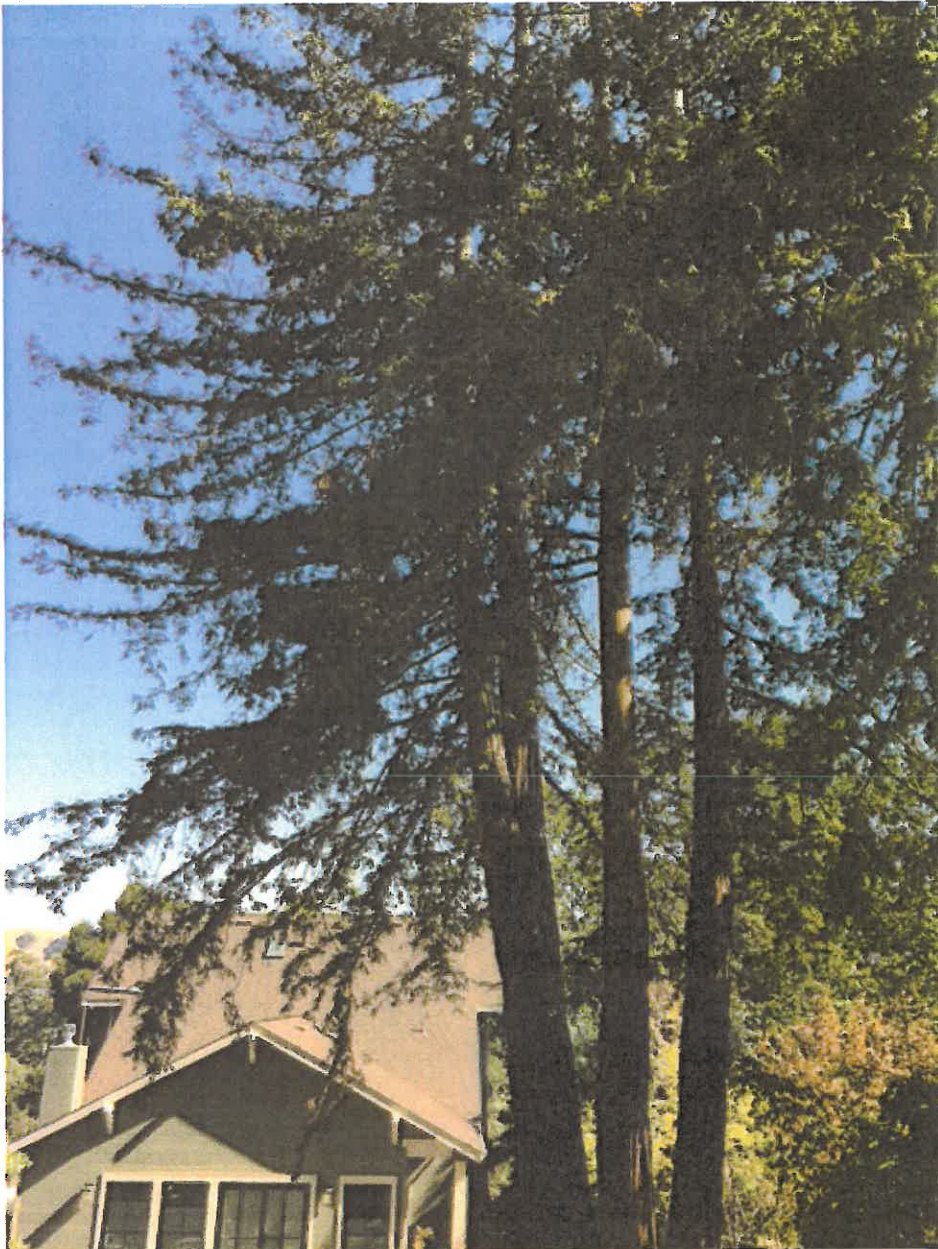
Attachments: 5 pictures

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Attachment 1



Attachment 2

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Attachment 3

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Attachment 4

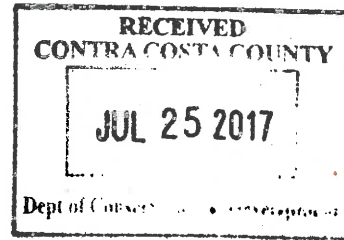
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Attachment 5

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Gil Gibson
1593 Hillgrade Ave.
Alamo, CA. 94507



Mr. Gibson,

This report documents my inspection of the trees on the property located at 1593 Hillgrade Avenue, Alamo, CA. specifically, all of the Coast Redwoods (*Sequoia sempervirens*.) The following are my findings.

There are three Sequoia on the property. All on the west side of the structure, a single family home, in the side or rear yard, which is a fairly steep upslope from the structure. I will identify them as specimens # 1, # 2, and # 3. Inspection took place on April 8th, 2017.

1. Specimen # 1, is located to the north of the west side of the property, directly adjacent to the neighboring driveway. This is a single stem Coast Redwood (*Sequoia sempervirens*) approximately 32" DBH, (diameter at breast height) and approximately 60' to 65' in height. Overall condition is poor. The main stem is in decline, and is mostly defoliated. Defoliation is more severe, in the top one third of the tree. Root system appears to be sound over approximately sixty percent of the circumference of the tree. More than forty percent of the circumference of the root zone, is covered by the driveway to the neighboring property. The pavement at its closest, comes to within 24' of the root flare, and appears to have caused moderate deformation of the root crown. Forensic testing of the root system, or main stem were not performed. Recovery of this specimen, is not likely, and removal would be warranted.
2. Specimen # 2, is located to the far south of the west side of the property. This specimen is also a single stem Sequoia approximately 38" - 40" DBH, and approximately 70' to 75' in height. Overall condition is very poor. The main stem is in severe decline, and is mostly defoliated. Defoliation is more severe, in the top one half of the tree. There does not appear to be any living tissue in this section of the tree. Root system appears to be sound over most of the circumference of the tree. Forensic testing of the root system, or main stem were not performed. Recovery of this specimen, is very unlikely, and removal would be warranted.
3. Specimen # 3, is located between specimens # 1, and # 2, towards the middle of the west side of the property. This specimen is comprised of a single stem Sequoia, and a split-stem Sequoia, all

in the same grouping, and all from the same root mass. It is unknown if this condition resulted from the split sub-stem growing off of the main stem, or if the tree began as a multi-stem specimen. The single stem portion is approximately 28" - 30" DBH, and approximately 55' to 60' in height. Overall condition is moderate to poor. The main stem is in some decline, and is partially defoliated. Defoliation is more severe, in the upper portions of this stem. The other stem of this specimen, is approximately 24 – to 26" DBH, and is split into two stems. The division occurs at approximately fifteen feet above soil level. DBH of each sub-stems, and the point of division, is approximately 12". The split leader creates an extremely narrow crotch, and the attachment is poor. As with all of the Sequoias on this property, foliage, and overall stem condition is poor in this set of stems as well. Root system appears to be sound over most of the circumference of the tree. Forensic testing of the root system, or main stem were not performed. Recovery of this specimen, is not likely, and removal would be warranted.

In conclusion, all three examples of this species on the property, have been negatively affected by prolonged drought, and insufficient water to their root zones. The three specimens range from poor to very poor, and are not likely to recover.

Respectfully,

Tim Hendricks
I.S.A. Certified Arborist #WE-9247-A