



CITY OF CARMEL-BY-THE-SEA FOREST AND BEACH COMMISSION Staff Report

June 11, 2020
PUBLIC HEARINGS

TO:	Forest and Beach Commissioners
SUBMITTED BY:	S Davis, City Forester
SUBJECT:	Final special conditions and approval of reissuance of a building permit for the Mei home project located at Santa Rita Street, 2 Southwest of Fifth Avenue.

RECOMMENDATION:

Authorize the removal of the Stop Work Order and construction to resume when all of the following tasks are completed:

- Reimburse the City for the actual cost for West Coast Arborist to prepare the original arborist report and for his time on this issue.
- Update applicant's own arborist's monitoring report and include an appraised value for the remaining trees.
- Provide a plan for monitoring and care of the remaining trees for five years.
- Deposit the appraised value of the remaining trees as a bond in effect for five years.

BACKGROUND/SUMMARY:

As a result of a citizen complaint, on October 17, 2019, City contracted arborist Glenn Whitlock-Reeve of West Coast Arborists discovered significant root damage from construction activities at Santa Rita 2 SW of Fifth Avenue. Construction was immediately shut down by the City's code enforcement officer. The observations from this site visit were documented in the attached Arborist Report. Ms. Jie Mei, the property owner of Santa Rita 2SW of Fifth Avenue, plans to construct a new single-family structure. Plans for the project did not include a landscape plan, but they do show existing trees to remain on the site plan and the lighting plan.

Sheet T-3 of the constructions drawings under Conditions of Approval states: *"Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission as appropriate; and all remaining trees shall be protected during construction by methods approved by the City Forester. All foundations within 15 feet (including the detached garage) shall be excavated by hand. If any tree roots larger than two (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or if any significant tree is endangered as a result of construction until an investigation by the City Forester has been completed. Twelve*

inches (12") of mulch shall be evenly spread inside the drip line of all trees prior to the issuance of a building permit."

No tree permits were submitted nor approved for this project.

At the January 2020 meeting, the Forest and Beach Commission assessed a penalty of \$50,000 for violations of the Carmel Municipal Code and damages to approximately 10 trees on the site. The Commission also required the applicant to remove the three damaged trees and stumps, and to return to the Commission for final conditions of approval and fees.

Since that meeting, the following tasks and fees have been submitted by the applicant to the City and are therefore completed tasks:

- The \$50,000 fine was paid and placed in the City's tree restoration fund.
- The three heavily-damaged trees and stumps were removed.
- A meeting was held between the applicant's grading contractor and staff. The contractor assured staff that all excavations would be hand dug.
- The \$500 fee to release a Stop Work has been paid.
- The \$1,375 fee for this second Public Hearing has been paid.

Staff recommends that the following tasks also be completed to allow for the City to lift the Stop Work Order and for construction to resume.

- Reimburse the City for the actual cost for West Coast Arborists to prepare the original arborist report and valuation for the three heavily damaged trees and for his time on this issue.
- Update applicant's own arborist's monitoring report and include an appraised value for the remaining trees.
- Provide a plan for monitoring and care of the remaining trees for five years.
- Deposit the appraised value of the remaining trees as a bond in effect for five years.

FISCAL IMPACT:

The applicant has already paid \$50,000 for the valuation of the three damaged trees, the \$500 fee to remove the stop work order, and \$1,375 for the cost of this second Public Hearing.

See the Recommendations for remaining fees and penalties to be paid by the applicant before the Stop Work Order will be lifted.

ATTACHMENTS:

Attachment #1 - Arborist Report by West Coast Arborists

ARBORIST REPORT

Santa Rita 2 SW of 5th

Root damage during construction.

Submitted to:

Sara Davis
City Forester
P.O. Box CC
Carmel by the Sea
CA 9329

January 6th, 2020



Tree Care Professionals Serving Communities Who Care about Trees www.WCAINC.com

Prepared by:

Glenn O. Whitlock-Reeve

ISA QUALIFIED TREE RISK ASSESSOR | BOARD CERTIFIED MASTER ARBORIST *WE-10177BTM*
390 MARTIN AVE SANTA CLARA, CA 95050 - (408) 835-0438 - GREEVE@WCAINC.COM





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Summary

West Coast Arborists Inc. was contracted to assess the construction impact of established trees at Santa Rita 2 SW of 5th. Eight trees are located on the property and all have sustained minor to severe root damage from recent construction operations. Three of the trees are suspected to have sustained root damage that may render the trees unstable. Trees that may require removal have been appraised and given an estimate of value as requested by the city, to be used for code enforcement purposes. The assignment results totaled \$50,000.00 for the three trees assessed. The extent of the root damage was estimated by the area excavated near trees, but the exact impact is unclear without further evaluation. Trees chosen for retention on the property should be thoroughly assessed to assure that the structural integrity has not been jeopardized.

Background

On October 17th, 2019, the City of Carmel-by-the-Sea received a complaint regarding root damage near trees on Santa Rita 2 southwest of 5th avenue. At the time I had been serving as the city's contract arborist. I responded to the site to assess the damage to the trees around 2pm. Upon my arrival extensive root damage as well as soil piled 6-feet high in the roadway. I notified city staff (Agnes Martlet) and a stop work order was placed on the property.

I provided city staff with a brief letter dated November 5th, 2019, summarizing the damages, and providing recommendations for further assessment. I recommended that a thorough root crown inspection be completed with an **air-spade**¹, to quantify the root loss of trees impacted. The property owner was requested to obtain a thorough, objective assessment of the construction impact to the trees, but declined to hire an arborist. Sara Davis requested that I perform a thorough assessment of the trees and provide a report for forest and beach commission. After discussing the extent of required equipment and personal to perform a thorough root crown excavation, Ms. Davis requested I provide a report based on my initial assessment on October 17th, 2019.

¹ Terms in **Bold** are defined in the glossary.



Assignment

The City of Carmel-by-the-Sea has contracted West Coast Arborists Inc. to perform the following services.

1. Assesses the extent of root damage from excavation on the three trees based on my initial observations on October 17th, 2019.
2. Provide an estimated value for trees that display signs of significant-severe root damage.
3. Summarize findings in a formal report.

Limitations of assignment

This assessment was limited to what was visible at grade level on the day of my inspection. No root crown inspection where performed nor any other advanced assessment method. The diameters of trees cited appraisal portion of this report were provided by the City Forester, Sara Davis.

Observations

The property at Santa Rita 2 SW of 5th, is located on the west side of Santa Rita. The property is in a valley with established houses to the north, south and west. The property line was not clearly marked during my inspection, but there is an access road/path on the uphill western side of the lot. A Wood fence is present at the southern and western sides of the property. The lot slopes downward from north to south. Locations of the 8 trees included in this assessment is provided in the appendix of this report.

Eight trees consisting of three native species including, Monterey Cypress (*Hesperocyparis macrocarpa*), Monterey Pine (*Pinus radiata*) and, Coast Live Oak (*Quercus agrifolia*) are present on the lot. The trees ranged in Diameter from 10 to 48-inches. The largest tree being tree #8 (*P. radiata*), displaying a mature canopy over 100-feet tall, and a minor lean to the southwest as well as large hanging branches in the canopy. The remaining trees are show maturing canopies suggesting middle stages of life. The canopy condition of the trees was fair for the most part, but with minimal evidence of maintenance pruning broken, overextended, and hanging branches were present in many of the trees.

On the day of my inspection active excavation was underway with the use of a skid steer loader (Bobcat) and a Mini excavator. Crews were observed excavating soil from the northern side of the lot up to 5-feet deep and 1-2feet on the southern side. Soil removed from the construction area was being piled in the city right-of-way on the east side of the lot. The 6-foot tall and nearly 30-foot across pile of soil had roots up to 4-inches in diameter and 4-feet long intermixed in the soil.

Entering the construction area, the soil was extremely dry and dusty. Freshly torn roots were observed throughout the area. A wooden box was present on north side of the cut wall near trees 6-8. I was informed the box had been placed and filled up with dirt in effort to protect the roots from drying out. To the east and west of the box fresh cuts could be seen on roots up to 3-inches in diameter as well as roots that had been torn from the wall from machinery. The majority of the southern root zones of trees 6-8 are believed to have been removed or damaged during construction.

Damage done to trees 4 and 5 on the south side of the lot is suspected to have the most immediate impact. Excavation with in 1-foot of the trunk on the majority of the northern dripline 1-foot deep, resulted in extensive root loss. Both trees 4 and 5 display canopies heavy to the south and the loss of tension roots may result in whole tree failure.



CONSTRUCTION IMPACT

A total of 8 trees were noted on the property or near the property line. Excavation is believed to have had severe to minor impact on all trees on the site. Excavation is also anticipated to have impacted trees on adjacent lots to the west as well, but the extent of damage is unknown at this time. The table below shows anticipated impact of from construction based on the following definitions.

Negligible- little to no impacts observed.

Minor - Impact limited to compacted and or contaminated soil or minor canopy damage such as exhaust burning from heavy machinery. Trees with *minor* may require corrective maintenance such as trimming, soil treatments, watering, and mulching.

Significant- Root damage suspected to have impacted large structural roots. Decline in health and/or stability likely within a given amount of time. Trees with *significant* root damage may require extensive corrective measures such as canopy reduction for retention and continued monitoring for signs of decline or structural instability.

Severe- stability of tree jeopardized with extensive roots loss. Damage to **CRZ**, may result in main stem/trunk decay. Failure and/or tree mortality likely as result of damage. Trees with *severe* root damage may require removal to reduce risk to life and property.

Tree #	Species	DSH	Construction Impact
1	Monterey Cypress	41"	Minor-Significant
2	Monterey Pine	37"	Negligible
3	Coast Live Oak	10"	Negligible
4	Monterey Pine	32"	Significant
5	Monterey Cypress	34"	Severe
6	Monterey Cypress	26"	Minor
7	Monterey Pine	48"	Significant
8	Monterey Pine	18"	Minor



Tree Appraisal

The appraisal was determined using guidelines set forth by the Council of Tree & Landscape Appraisers in the *Guide for Plant Appraisal, 10th Edition*. In addition to the Western Chapter of the International Society of Arboriculture book titled *Species Assignment and Classification and Group Assignment* was used to determine the most commonly available replacement tree size, replacement price and average installation costs. The **Reproduction Method by Trunk Formula Technique**, where the value of the tree is determined by extrapolating the purchase cost of a nursery-grown tree up to the size of the size of the subject tree being valued. Appendix-C of this report provides an example of the process used to produce the estimate of value.

Criteria for Appraisal

The three most impacted trees where chosen for appraisal. These values may be used by the city for code enforcement purposes. Appraisal of the remaining trees can be provided upon request.

Tree #	Species	DSH	Construction Impact	Appraised Value
4	Monterey Pine	32"	Significant	\$10,000.00
5	Monterey Cypress	34"	Severe	\$18,000.00
7	Monterey Pine	48"	Significant	\$22,000.00

Discussion

The excavation on this lot was done with blatant disregard to the trees on site. The roots seen thrown about the property and stuck in heavy machinery's wheels suggests extensive damage to root systems. Ripping roots from the ground with machinery can result in fractures in the trunk of a tree. The wounds provide a path for pathogenic, wood decaying fungi to further reduce structural integrity of trunk and root system and health of the tree. The loss of roots reduces the trees ability to absorb water and nutrients, leading to canopy decline. Construction damage can often take several years to reflect in the canopy, due to stored nutrients in the tree, but often result in extensive canopy dieback or catastrophic failure.

Trees evaluated in this report as having a *significant-severe* impact may be candidates for removal. The large size of the trees and pre-existing leans now stresses weakened root systems resulting in a higher likelihood of failure. The adjacent houses and predicted failure direction suggest in severe consequences in the event of a whole tree failures. Corrective measures to reduce the load on damaged root systems may result in extensive canopy loss, that could further stress the trees and result in tree mortality. If tree retention is desired a thorough root crown inspection must be completed as well as a detailed risk assessment.

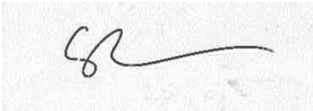
Trees #s 1-3, 6 and 8 were determined to have minor impact from excavation but may require further assessment and monitoring. Tree #1 sustained substantial soil compaction from machinery operations, piling 6-feet of soil on the northeast root zone. Compacted root zones kill and limit growth of new **fibrous roots** and can lead to decline in tree health. Soil injections with low nitrogen fertilizer and mulching can aid in reducing compaction and help the trees recover. Safety pruning focusing on crown cleaning and end weight reduction is also advised for trees on site as the trees display no signs of regular maintenance.

Recommendation

1. Removal of tree #'s 4, 5 and 7.
2. Safety pruning of any trees retained. Trimming should be focused on removing any dead/broken branches over 1-inch in diameter, reducing overextended/heavy limbs, balancing canopies, and reducing wind loading. All pruning should be performed in accordance of ANSI-A300 standards. (Tree Care Industry Association, Inc., 2017).
3. Low nitrogen fertilizer soil injections for trees that sustained extensive compaction. Establish 6 to 8-inches of mulch beneath canopies.
4. Continued monitoring of any tree retained, with re-inspection in 1-year by certified arborist to assess structural integrity and health of trees.

Thank you for the opportunity to assist you in your tree assessment needs. If there are any questions or concerns feel free to contact me directly at (408) 835-0438, greeve@wcainc.com

Respectfully,



Glenn O. Whitlock-Reeve
Board Certified Master Arborist
WE-10177BTM
ISA Qualified Tree Risk Assessor
West Coast Arborists, Inc.

Glossary

Air-spade- specialist excavation tool that uses compressed air to remove and break up soil with minimal damage to roots and underground utilities. It can be used for a variety of reasons including the alleviation of compaction, soil improvement, root inspection and root location.

Buttress Roots- roots at the trunk base that help support the tree and equalize mechanical stress.

Crucial Root Zone (CRZ)- An area where roots are present around a tree that are crucial to health and stability of the tree. Tree roots expand far beyond the canopy of the tree; most roots grow within the top 6-8" of the soil. Roots grow where conditions are most favorable, seeking oxygen water and nutrients. There is no industry standard to for measuring the *Crucial Root Zone*, but for the purpose of this report it shall be defined as the **DSH** multiplied by 8-inches. All excavation should be completed by hand and with an **Air-spade** in the defined **CRZ**. No root larger than 2-inches in diameter shall be cut without approval from certified arborist within the **CRZ**.

Fibrous roots- small hair like roots that absorb nutrients and water.

Depreciation- a loss in value from any cause; typically caused by either physical, economic, or external factors.

Reproduction cost- the cost to replace an improvement with an exact replica. Referred to in previous editions of the *Guide* as *replacement cost*.

Trunk formula technique (TFT): a technique for developing a cost basis that involves extrapolating the purchase cost of a nursery -grown tree up to the size of the subject tree being valued.

Value: the monetary worth of a property, good or service to buyers and sellers at a given point in time. Expectation or present worth of future benefits. Economic value is created by scarcity restricting supply and utility enhancing demand. Not to be confused with cost or price.

Value estimate: an assignment result in which the plant appraiser estimates the economic value of a plant or landscape item based on its market supply and demand.



Bibliography

Richard F. Gooding, J. R. (2019). *Guide for Plant Appraisal, 10th Edition*. Atlanta : International Society of Arboriculture .

Tree Care Industry Association, Inc. (2017). *Tree, Shrub, and Other Woody Plant Management- Standard Practices (Pruning)*. New Hapshire : Tree Care Industry Association, Inc.

Western Chapter of International Society of Arboriculture. (2004). *Species Classification And Group Assignment* . Western Chapter of International Society of Arboriculture.

Appendix A- Map (Approximate Tree locations)



Figure 1: The red arrow indicates the approximate location of the property.

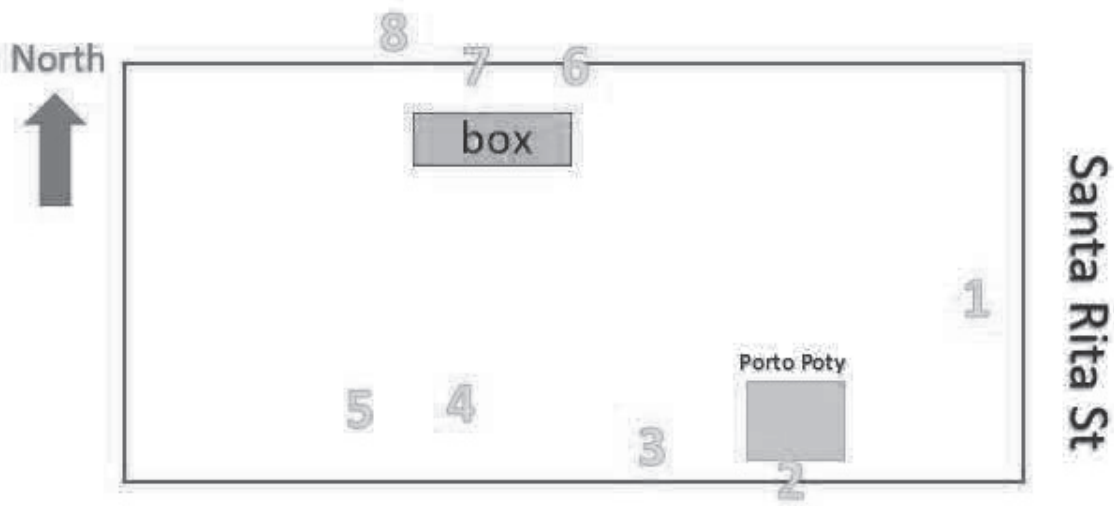


Figure 2: The image shows approximate locations of trees sited in this report by number.

Appendix B- Observation Photos



Figure 4: Looking southwest from street, note large pile of soil.



Figure 3: Looking west inside excavation area, red arrow shows box that was constructed around exposed roots of tree #7.



Figure 5: Looking southeast from Tree #7, red arrows note how close excavation was preformed near trees 4 and 5.



Figure 6: Looking south at Tree #5, Note roots ripped from ground with in 1-foot of trunk.



Figure 7: Skid-steer loader operating on site, note roots stuck in tracks an indication that little to no caution of roots was taken during excavation.



Figure 8: Roots seen on southern wall ripped rather than cut cleanly.



Figure 9: 6-foot long 4-inch diameter root seen laying next to tree 4.



Figure 10: Torn remnants of roots with in 1-foot of trunk.

Appendix C- Appraisal Calculations Shown for Tree #4

Depreciation Factors

Health (*Good 75% Rating*)²

Vigor was determined to be normal for the species with only minor presence of pests and disease. Minor dieback was present in the canopy and only small dead branches scattered about the canopy. Sap was seen on the trunk and lateral branches likely from fungal/bacterial pathogens common to the area.

Structure (*Good 70% Rating*)

Structure normal for the species with the canopy with. The canopy was slightly heavy to the west likely due to phototropic growth and pruning from property to the east.

Form (*Good 70% Rating*)

Minor deviations from the species norm, consistent with premature Monterey Pine of the same age. Functional aesthetics are not affected.

Functional Limitations (FL): *90% Rating*

The planting site did not show significant limitations.

External Limitations (EL): *50% Rating*

Monterey Pine are susceptible to numerous lethal pests and disease in the area including Red Turpentine Beetle, Dwarf Mistletoe and Pitch Canker.

The bellow table shows factor values applied to all trees appraised in this assessment.

<u>Tree #</u>	<u>Health</u>	<u>Structure</u>	<u>Form</u>	<u>FL</u>	<u>EL</u>	<u>DSH</u>	<u>Replacement</u>	<u>After care</u>
4	75%	70%	70%	90%	50%	32"	\$250	\$600
5	75%	70%	70%	80%	90%	34"	\$250	\$600
7	75%	70%	70%	90%	50%	48"	\$250	\$600

² Ratings are used for tree appraisal, and our calculated from table 4.1 on page 44 of the *Guide for Plant Appraisal, 10th edition.*



Appraisal Calculations Tree #4 (continued)

Subject Tree (Tree #4)

Species: Monterey Pine (*Pinus radiata*)

- 1. Trunk Diameter:** **32-in**
- 2. Cross- Sectional Area** (line 1) ² x 0.7854: **804-in²**
- 3. Condition Rating:** **70%**
(Lowest Individual rating to establish overall condition rating)
 - a. **Health: 75%**
 - b. **Structure: 70%**
 - c. **Form: 70%**
- 4. Functional Limitations:** **90%**
- 5. External Limitations:** **50%**

Replacement Tree

Species: Monterey Pine (*Pinus radiata*)

- 6. Trunk Diameter:** **2.46-in**
- 7. Cross-Sectional area** (line 6) ² x 0.784: **4.74-in²**
- 8. Replacement Tree Cost** (24-in Box): **\$172.73**

(Lines 6-8 Source: Species Classification and Group Assignment 9th Edition)

Calculations

- 9. Unit tree cost** (Line 8 / Line 7): **\$36.44**
- 10. Basic reproduction cost** (line 2 x line 9): **\$29,298.50**
- 11. Depreciated reproduction cost:** **\$9,229.02**
(line 10 x line 3 x line 4 x line 5)

Additional Costs

- Clean up: (Property owner responsibility)** **N/A**
- Replacement Tree Installation:** (City standard) **\$250.00**
- Aftercare:** (weekly watering for 1 year during summer months) **\$600.00**

(Additional costs are low estimates sourced from previous experience and similar projects)

- 12. Total additional costs:** **\$850.00**
- 13. Total reproduction cost** (line 11 + line 12): **\$10,079.00**
- 14. Rounded:** **\$10,000.00**

ASSUMPTIONS AND LIMITING CONDITIONS

1. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the Consultant can neither guarantee nor be responsible for the accuracy of information provided by others. Standard of Care has been met with regards to this project within reasonable and normal conditions.
2. The Consultant will not be required to give testimony or to attend court by reason of this report unless subsequent contractual agreements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
3. Loss or alteration of any part of this report invalidates the entire report.
4. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior written consent of the Consultant.
5. This report and any values expressed herein represent the opinion of the Consultant, and the Consultant's fee is in no way contingent upon the reporting of a stipulated result, a specified value, the occurrence of a subsequent event, nor upon any finding to be reported.
6. Unless expressed otherwise: 1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, or coring, unless otherwise stated. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the tree(s) or property in question may not arise in the future.
7. Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. It is highly recommended that you follow the arborist recommendations; however, you may choose to accept or disregard the recommendations and/or seek additional advice.
8. Arborists cannot detect every condition that could possible lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specific period of time.
9. Any recommendation and/or performed treatments (including, but not limited to, pruning or removal) of trees may involve considerations beyond the scope of the arborist's services, such as property boundaries, property ownership, site lines, disputes between neighbors, and any other related issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist can then be expected to consider and reasonably rely on the completeness and accuracy of the information provided.
10. The author has no personal interest or bias with respect to the subject matter of this report or the parties involved. He/she has inspected the subject tree(s) and to the best of their knowledge and belief, all statements and information presented in the report are true and correct.
11. Unless otherwise stated, trees were examined using the risk assessment criteria detailed by the International Society of Arboriculture's publications *Best Management Practices – Tree Risk Assessment* and the *Tree Risk Assessment Manual*.

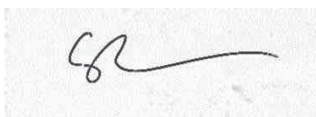
Appendix D- Certification of Performance

I, Glenn O. Whitlock-Reeve, Certify that:

1. I have personally inspected the tree(s) and property referred to in this report and have stated my findings accurately.
2. I have no current or prospective interest in the tree or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.
3. The analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts.
4. My analysis, opinions and conclusions were developed, and this report has been prepared according to commonly accepted arboricultural practices and standards.
5. No one provided significant professional assistance to me, except as indicated within the report.
6. My compensation is not contingent upon the reporting of predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member in good standing of the American Society of Consulting Arborists and a Board-Certified Master Arborist with the International Society of Arboriculture (ISA). I have been a Certified Arborist since 2013 and in the practice of arboriculture for over 10 years.

Signed:



Glenn O. Whitlock-Reeve
Board Certified Master Arborist
WE-10177BTM
ISA Qualified Tree Risk Assessor
West Coast Arborists, Inc.

Date: 1/6/19

REGULAR MEETING MINUTES

Forest and Beach Commission Meeting

Thursday, June 11, 2020

Video Conference Meeting

ROLL CALL

COMMISSION MEMBERS PRESENT: Michael Caddell, Chair
Al Saroyan, Vice Chair
Sarah Berling
Darlene Mosley
JC Myers

STAFF PRESENT: Bob Harary, Public Works Director
Sara Davis, City Forester
Britt Avrit, City Clerk

TOUR OF INSPECTION

None

PLEDGE OF ALLEGIANCE

Not included in the virtual meeting.

PUBLIC APPERARANCES

Ramie Allard
Karen Ferlito

Both are pleased that the Commission is meeting once more. The Friends of the Carmel Forest expressed concern about the watering of young trees and that they are working on a pruning project in Devendorf Park. It was suggested that storm water capture should be a priority in new paving projects. Also, it would be good to include the community when designing paving projects.

CONSENT AGENDA

1. Approval of the amended minutes from the February 13, 2020 Regular Meeting

Commissioner Berling moved to approve the amended minutes for the February 13, 2020 regular meeting, seconded by Commissioner Mosley, and approved by the following votes:

AYES: Caddell, Saroyan, Myers, Berling, Mosley

NOES: None
ABSTAIN: None
ABSENT: None

2. Approval of the minutes from the March 12, 2020 Regular Meeting

Commissioner Mosley moved to approve the minutes for the March 12, 2020 regular meeting, seconded by Commissioner Berling, and approved by the following votes:

AYES: Caddell, Saroyan, Myers, Berling, Mosley
NOES: None
ABSTAIN: None
ABSENT: None

PUBLIC HEARINGS

3. Final special conditions and approval of reissuance of a building permit for the Mei home project located at Santa Rita Street, 2 Southwest of Fifth Avenue. (Applicant Connie Mei)

Staff recommendation is to authorize the removal of the Stop Work Order and construction to resume when all of the following tasks are completed: reimburse the City for the actual cost for West Coast Arborist to prepare the original arborist report and for his time on this issue, update applicant's own arborist's monitoring report and include an appraised value for the remaining trees, provide a plan for monitoring and care of the remaining trees for five years, and deposit the appraised value of the remaining trees as a bond in effect for five years.

Public comment was provided by: Tom Bruce, Connie Mei, Karen Ferlito, Richard Hewitt, Chris Mac, Karen Mac, and Ashlee Gustafson who represents the Baker family.

Commissioners discussed the issue with the information given.

Commissioner Saroyan made a motion to approve the lifting of the stop work subject to meeting the staff recommended conditions, and in addition, removal of stump number seven, submittal of a drainage study/plan, and the submittal of a landscape plan. The landscape plan must be approved by the City Forester and the Bakers. The motion was seconded by Commissioner Myers.

AYES: Caddell, Saroyan, Myers, Mosely, Berling
NOES: None
ABSTAIN: None
ABSENT: None

4. Approval or denial of Tree Removal Permit 20-046 for 17 eucalyptus trees located at San Antonio Avenue and Fourth Avenue. (Applicant Laura Overett)

Staff stated that since these 17 Eucalyptus trees do not pose an urgent safety concern due to very low use of the area, the City Forester may not approve the tree removal application without a hearing at the Forest and Beach Commission meeting. Due to the close proximity to the North Dunes, the City Forester

recommends that the removal application be approved. The Commission should consider requiring mitigation measures, including replanting at 2 to 1 and/or a fee that would be used for continuation of restoration work at the North Dunes Habitat Restoration Area.

Public comments were made by: Laura Overett, Susan Prest, and Ramie Allard. Letters of support were also provided by Dune Biologist Joey Canepa and Susan Prest.

Commissioners discussed the issue with the information given. A motion was made Commissioner Myers to postpone action on the removal permit until a planting plan for the entire site can be reviewed. Seconded by Commissioner Mosley, followed by the following vote:

AYES: Caddell, Saroyan, Mosley, Berling, Myers
NOES: None
ABSTAIN: None
ABSENT: None

ORDES OF BUSINESS

5. City Forester's Monthly Report for April 2020

Ms. Davis reviewed the April tree data report.

Public Comment made by Karen Ferlito.

6. Presentation by Bob Harary, Public Works Director, to provide Commission recommendations to the City Council regarding the format and content of the monthly Forester's Report.

Mr. Harary answered questions from the Commission.

Public comment was given by Karen Ferlito and Ramie Allard.

The Commission did not provide specific recommendations, but noted that the new Forester's reports are more user-friendly and easier to interpret. They look forward to the new tree software program being developed. The Commission had no objection to adding more tree data to the reports.

7. Presentation by Bob Harary, Public Works Director, to provide recommendations to the City Council regarding updated fees for Tree Pruning and Tree Removal Permit.

Mr. Harary answered questions from the Commission.

Staff recommends that the Forest and Beach Commission recommends to the City Council assessing a new flat fee of \$245 for tree pruning permits, a new full cost-recovery approach for tree removal permits, and no fees for work on City trees by private parties.

Public comment was given by Karen Ferlito and Ramie Allard.

Commissioner Mosley made a motion to recommend to City Council the adoption of Option 2 from the presentation and to not charge permit fees for trees on City property. Motion seconded by Commissioner Saroyan.

AYES: Caddell, Saroyan, Mosley, Myers
NOES: None
ABSTAIN: None
ABSENT: Berling

8. Public Works Director's Monthly Report for March, April, and May 2020

Mr. Harary updated the Commission on applicable City Council actions, beach and parks activities, capital projects related to forestry, parks and beach assets, and other items of interest to the Commission. He answered questions from the Commission.

ITEMS FOR FUTURE MEETINGS

State of the Forest and vision
In lieu of planting fees

ADJOURNMENT

There being no further business to bring before the Commission the meeting was adjourned.

Michael Caddell, Chair

Sara Davis, City Forester, Interim Commission Secretary