ITEM 9.A.

# MOORPARK CITY COUNCIL
# AGENDA REPORT

**TO:** Honorable City Council

**FROM:** Mary Lindley, Director of Parks, Recreation, and Community Services
Dave Bobardt, Planning Manager DB

**DATE:** April 11, 2007 (CC Meeting of 5/2/2007)

**SUBJECT:** Consider the California Pepper Trees Maintenance Plan and Final Environmental Impact Report

## BACKGROUND

On February 4, 2004, the City Council approved the removal of five California Pepper trees on High Street. Findings from three independent certified arborists had determined that the trees posed a risk to life and property. Additionally, the Council directed staff to implement the tree planting plan recommended in Michael Mahoney's Pepper Tree Evaluation report. Mr. Mahoney is the City's current consulting arborist and the last of the three arborists to have evaluated the trees.

On March 1, 2004, legal action was filed against the City alleging that the City violated the California Environmental Quality Act (CEQA) in its decision to remove the five trees. On March 19, 2004, the Superior Court issued a preliminary injunction, prohibiting the City from removing the five trees.

On June 16, 2004, the Council rescinded its earlier action regarding the tree removals and directed the City Manager to execute a contract with a qualified consultant(s) to prepare a Tree Management Plan and an Environmental Impact Report (EIR). The City again retained the services of Mr. Mahoney to prepare the tree maintenance plan and the services of LSA Associates, Inc. to prepare the EIR. October 28, 2004, a settlement agreement was executed.

## DISCUSSION

Sometime around 1900, a collection or grove of California Pepper trees was planted along High Street. Over the years, the grove of trees has provided a beautifying theme for the old downtown area. We do not know how many, if any, of the existing trees are a part of the original grove. The City has taken care to maintain the individual trees in a

manner that will prolong their lives and mitigate any risks they may pose as they age. Since it is acknowledged that trees do not live on in perpetuity, and they will eventual die, our goal has been to maintain the look and feel the grove provides. Over the years, and generally in conjunction with street and sidewalk improvement projects, the City has planted new Pepper trees. Finding appropriate planting space on High Street is made more difficult due to the expansion and improvements to the street's infrastructure over time, including street pavement, curbs, sidewalks, underground and above ground utilities, all of which were not present at the time the grove was originally planted. To help the City manage its efforts to maximize the enjoyment the grove offers, it directed the preparation of a tree maintenance plan.

The California Pepper Trees Maintenance Plan (Plan), prepared by Michael Mahoney (Attachment 1), identifies Tree Management Categories, development/age stages and their characteristics: Young Trees, Shade Trees, Veteran Trees, and Senescent Trees. Under each category, the Plan identifies maintenance steps that should be performed. The report also summarizes the steps to be taken from the initial identification of an appropriate planting site, through the life of a tree, up to the time it attains senescent status and should be removed. Additionally, the Plan includes an evaluation of each existing tree and recommends maintenance activities to be performed on the tree.

If approved by the City Council, it is staff's intent to carryout the maintenance activities as outlined in the Plan, including regular maintenance, evaluations, and plantings.

## ENVIRONMENTAL DETERMINATIONS

Actions to be considered by the City Council prior to approval of the California Pepper Trees Maintenance Plan include certification of the Final Environmental Impact Report (EIR), making findings for significant impacts, and adopting a Mitigation Monitoring and Reporting Program.

***Certification of Final EIR*** – The City Council, after having been presented with, reviewed, and considered the information contained in the Final EIR, needs to determine whether or not the Final EIR is complete and adequate and has been prepared in accordance with the California Environmental Quality Act (CEQA) and reflects the independent judgment and analysis of the City of Moorpark as lead agency. Findings to make these determinations have been provided by staff in the attached draft resolution (Attachment 4).

The City contracted with LSA Associates, Inc. for the preparation of an Initial Study and Draft EIR for this project. The Draft EIR, State Clearinghouse Number 2006051024 (Attachment 2), identified and analyzed certain potentially significant effects that could occur as a result of the maintenance plan along with mitigation measures that would reduce or otherwise eliminate these significant impacts. It also identified and analyzed alternatives to the maintenance plan. The Draft EIR was circulated for public review

and comment beginning on January 9, 2007 and ending on February 23, 2007. In addition, an opportunity to provide oral comments on the Draft EIR was provided at a public hearing of the Planning Commission on February 13, 2007. The City received only one comment letter on the Draft EIR (from the County of Ventura Transportation Department); no speakers appeared before the Planning Commission at the public hearing.

A Final EIR (Attachment 3) was prepared by Community Development staff. It includes the Draft EIR, a list of commentators, comments on the Draft EIR, and the City's responses to the comments received. The one commentator was sent a copy of the proposed response as required by CEQA.

***Findings on Significant Effects*** – The California Environmental Quality Act (CEQA), in Section 21081 of the Public Resources Code, provides that:
"No public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project, which mitigate or avoid the significant effects on the environment.

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report."

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment."

The EIR identified significant impacts with respect to aesthetics, biological resources, and cultural resources. All of these impacts could be mitigated to a less-than-significant level with the adoption of mitigation measures (Finding (a)(1)). Substantial evidence to support these findings is documented in the attached resolution.

***Mitigation Monitoring and Reporting Program*** – The Mitigation Monitoring and Reporting Program, included in the attached resolution with the findings, identifies the monitoring/reporting method, responsibility, and timing for the implementation of each mitigation measure identified in the Final EIR. These mitigation measures are enforceable as conditions of approval on the maintenance plan.

## STAFF RECOMMENDATION

Adopt Resolution No. 2007-___, certifying the Final Environmental Impact Report, making findings for significant impacts, adopting a Mitigation Monitoring and Reporting Program, and approving the California Pepper Trees Maintenance Plan.

ATTACHMENTS

1. California Pepper Trees Maintenance Plan
2. Draft Environmental Impact Report (Transmitted under Separate Cover)
3. Final Environmental Impact Report
4. Draft Resolution No. 2007-___ Certifying the Final Environmental Impact Report, Making Findings for Significant Impacts, Adopting a Mitigation Monitoring and Reporting Program, and Approving the California Pepper Trees Maintenance Plan

# CALIFORNIA PEPPER TREES MAINTENANCE PLAN

HIGH STREET - MOORPARK, CALIFORNIA



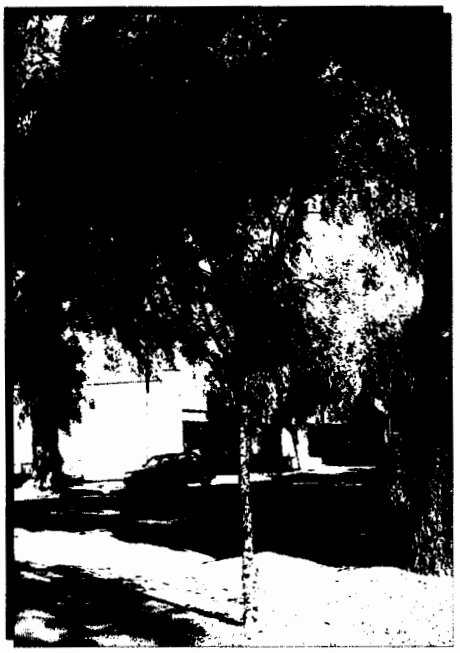
CC ATTACHMENT 1

Joined together, trees growing in the parkway along High Street are a collection; **a grove of pepper trees,** which unify the district and identify a vivid history

## 1.1 Scope

This tree maintenance plan addresses a discrete collection of 50 California Pepper trees (*Schinus molle*) growing in portions of the public right-of-way along East High Street from its intersection with Moorpark Avenue to the 400 block of East High Street in Moorpark, California. Several of the trees may be remnants of an original planting at this location in the year 1900 by Robert Poindexter, a city founding father. The trees are included in Ventura County's Historical Landmark List. The purpose of this maintenance plan is to provide a realistic framework to accomplish an apparent dichotomy of needs: sustain the legacy of the original trees and deliver appropriate care to maximize the benefits of boulevard shade trees while minimizing increased risk to people and property as a result of their presence in this vital city corridor.

1.2 Joined together, trees growing in the parkway along High Street are a collection: a grove of pepper trees, which unify the High Street district and identify its vivid history. It is fundamentally noteworthy that trees are living organisms and they develop along an evolving progression from their origin to their decline. Furthermore, trees cultivated in congested municipal environments are known to have reduced life spans, with the progression from origin to decline occurring along a shorter timeline. Additionally, note that these are among the oldest remaining specimens of California pepper trees in the region. The species was first introduced to California at the San Luis Rey Mission in San Diego County in the 1830's (Landscape Plants For Western Regions, Bob Perry, 1992) a mere 60 to 70 years before Mr. Poindexter planted them here. Therefore, it is unrealistic to anticipate that the trees can provide benefits as boulevard shade trees in perpetuity, and some degree of risk is unavoidable when the service life of aging trees is extended toward its greatest limits.



Two tree symbols are used to distinguish significant size differences in the study:

- - a smaller tree that was recently planted or which has relatively small canopy architecture
- - a larger tree that has relatively extensive canopy architecture

## 2.1 Reference

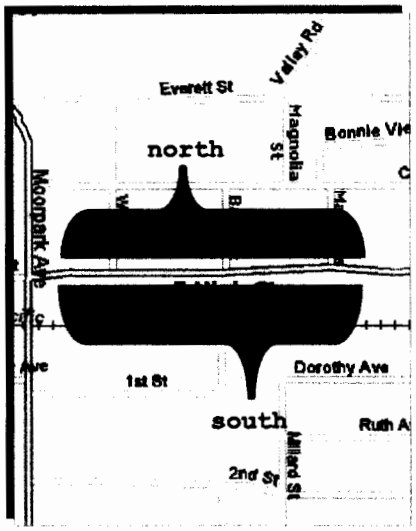
A site sketch has been prepared to distinguish individual trees and to show their relationship to the other trees and basic infrastructure at this locale. This site sketch is not a document prepared to scale and it does not capture each element of the infrastructure; it is intended to represent the trees in a linear fashion – one that simplifies their presence and their progression through the corridor. The format is taken from the earlier study Arborist's Report: Selected High Street Pepper Trees – December 2003, undertaken to identify trees that may or may not merit preservation, provide management concepts to protect specimens that merit preservation, and identify senescent trees with a potential for increased risk of damage or injury that warrant transitioning out of the city's urban forest. Some of the symbols used in this expanded site sketch reflect findings provided in the initial 2003 study. Please see the site sketch, attached.

2.2 Two types of spaces are typically found in this corridor: spaces restricted at the soil surface by pavement on all 4 sides resulting in an approximately 8-foot by 10-foot opening (a restricted growing space) and spaces that are relatively unrestricted - typically setback from the street side curb and gutter by 5-feet and relatively unrestricted on other sides (an unrestricted growing space). Other growing spaces can be found in the grove as determined by individual or distinctive site features.

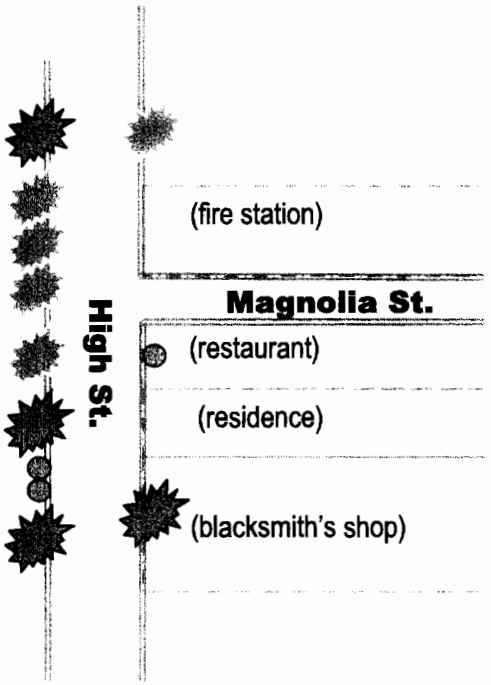
2.3 The current version of the site sketch captures all California peppers, large and small, which are found in the corridor. Twenty-six of the trees are indicated with the small tree symbol; 15 on the north side of the street and 12 on the south side. Please note that some of these smaller trees were indicated in the site sketch prepared for the previous study, but due to the scope of that work they were not treated in detail. Twenty-four of the trees are indicated with the large tree symbol. Five of the

... young trees, shade trees, veteran trees, and senescent trees...

older tree symbols are outlined in red, 11 are outlined in yellow, and 8 are outlined in green. These indicators are used to organize the trees by general maintenance categories. Categories identified here are: young trees, shade trees, veteran trees, and senescent trees; additional descriptive information is provided later in this report.




2.4 Reference is made to the trees by 'tag number' or 'no tag number', and the numbering sequence starts at the west end on the north side, and ends on the west end on the south side. The progression begins consistent with the succession of street addresses, but at the east end of the grove the sequence runs in opposite progression on the southern segment. The city-wide inventory of trees uses a reference system that is tied to the street address, and tree numbers are utilized only when more than one tree exists at an address. Sites without addresses are assigned a fictitious address and designated as such. Other conventions are also applied to trees on the side of corner lots, on the backside of lots that run perpendicular from one street to another all the way through a city block, and other contrary site-related features.




2.5 Some significant features become apparent by studying the visual impact of the site sketch. If periodic reforestation did not keep pace gaps might occur in the linear corridor of trees as they progress in the grove. Where a gap in the grove exists at the parkway in front of the new Fire Station (corner of High Street and Magnolia Street), California pepper trees had originally occupied the space, but due to converted land use the space no longer seems appropriate for trees. It is reasonable to expect that vital municipal services and other critical factors may impact the designation of existing and future tree sites, and, while for purposes of long-range management it is most useful to organize the corridor into available tree sites and not existing tree sites, it is foreseeable that some percentage of designated spaces will be modified over time.

young trees...

shade trees...

veteran trees...

senescent trees...

sketches from Veteran Trees: A guide to good management, English Nature

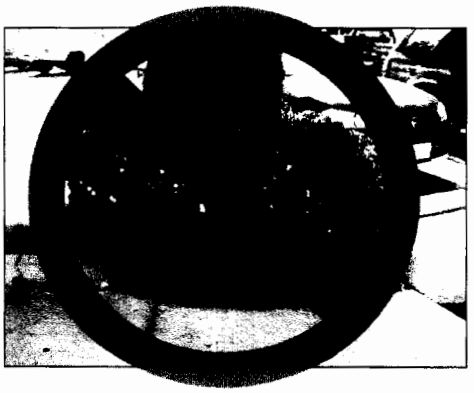
### 3.1 Tree Management Categories

For purposes of this maintenance plan, management categories within a variable-aged grove of trees include:

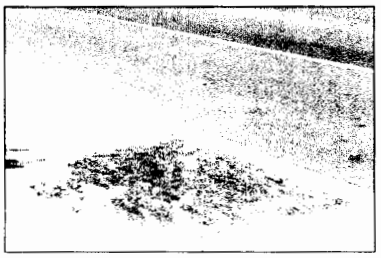
- YOUNG TREES and available sites – these include sites where trees have been removed and no replacement has been installed, recently planted sites, and sites with young expanding tree canopies
- SHADE TREES where the canopy is sufficient to produce abundant protection from solar radiation and yet not restrict pedestrian or vehicular traffic
- VETERAN TREES with tall, broad canopies that merit ongoing preservation by managing their growth for threats to biological health or mechanical stability
- SENESCENT TREES that do not merit preservation; trees in locations that should not be designated as tree sites – i.e., tree to be removed

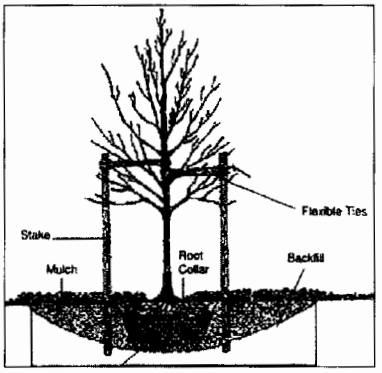
### 4.1 Young Trees

Young trees are characterized by their introductory and early developmental status. It is intended that all sites resulting from removal of grove trees, when appropriate for growing trees that attain large proportions, will be filled with new young plants in due course. Note that some existing trees occupy locations that are inadequate for long-term cultivation of California pepper trees. The physical tasks of evaluating the viability of a planting site, situating the new tree appropriately within the confines of a specific location, and physically installing the new tree include important considerations. Services and techniques for maintaining desirable tree characteristics or resolving undesirable tree characteristics within this category include:



California Pepper Grove – High Street Moorpark, California



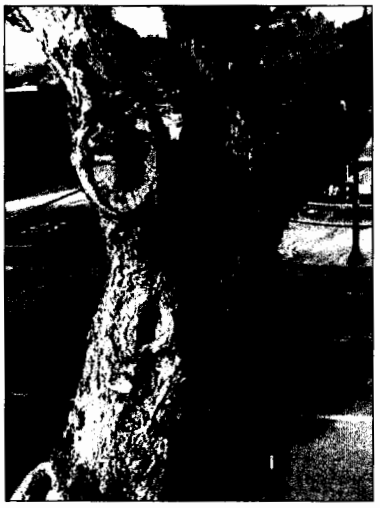


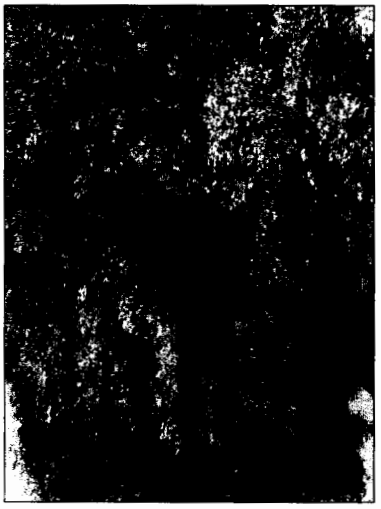

- Tree site designation and allocation of space call for a minimum 8-foot by 8-foot opening in the pavement; the tree must be centered in the opening, and overhead clearance must be available,
- Investigation of underground services; notification of underground services alert,
- Provisions for temporary supplemental irrigation
- Installation of the tree according to current best practices; a 24-inch box specimen tree provides the greatest opportunity to assure a healthy new start,
- Installation of systems for supplemental stability; standard specifications generally indicate two lodge pole stakes installed parallel to the roadway, sufficiently stable and inserted in a vertical orientation slightly beyond the periphery of the soil originally occupied in nursery container (removed at time of installation), one or two tie straps are recommended determined by the degree of excessive flexibility of the young tree stem, the stem should have sufficient room to move in response to a gentle breeze but steady the tree against forces that might over load the young tree's stability,
- Monitor and maintenance of supplemental stability systems,
- Pruning treatments to train and direct growth,
- Pruning treatments to maintain clearance.

4.2 Several interim phases of the young tree category include site preparation, installation, establishment, and early development. As noted previously, site preparation is an important step in maximizing the success of the tree and preparing it for a potentially long service life. Installation procedures, including proper selection of healthy nursery stock prior to installation, also contribute to rapid establishment and healthy future development. Establishment is considered to have occurred when the new tree's roots have colonized the

native or existing soil, growing out beyond the confines of the nursery container and the zone of prepared soil surrounding the periphery of the new tree's root ball, undertaken to encourage new root development. Supplemental stability systems (tree stakes) should be removed once the tree is established. Early development includes management of branches and foliage growing low in the tree's architecture – temporary structures that promote early development but which will eventually be removed, and directing the developing architecture to support a stable and healthy future canopy.

4.3 Studies have shown that installation and establishment of a new tree is improved when an optimum size nursery stock is utilized. Trees smaller than 24-inch box specimens are prone to substantial damage from vandalism and negligence, and they may be somewhat less tolerant of interruptions in their early care. Trees larger than 24-inch box specimens require special handling, are less commonly available, and may have been subjected to maintenance treatments and early care at the nursery that are not consistent with long term health and stability. Twenty-four inch box specimen trees are about 5 years old when they attain that size (older trees in a 24-inch box are cramped, develop poor root structure, and should be avoided). Young trees exist in the landscape for about 10 years before they attain sufficient canopy height and spread to merit a mature size and structure.





## 5.1 Shade Trees

Shade trees are characterized by their function as producers of solar shade and their status as major architectural features of the boulevard environment. It is incumbent on these living structures to afford sufficient clearance for pedestrian and vehicular traffic and adequate clearance from adjacent structures and infrastructure so that damage and or injury are avoided. Services and techniques for maintaining desirable tree characteristics or resolving undesirable tree characteristics within this category include:

- Inspections to monitor tree health and stability,
- Pruning treatments to maintain clearance,
- Pruning treatments to manage load and weight distribution,
- Pruning treatments to establish a redundant branching hierarchy throughout the canopy,
- Specialized pruning or other treatments to correct or respond to unforeseen circumstances.

5.2 California peppers that meet the High Street maintenance criteria as shade trees occupy a developmental stage ranging from about 15 years old to an undetermined point in the future when their level of maturity begins to wane, and deterioration and decline become manifest. Various events activities and occurrences may combine to initiate decline; trees that decline along a protracted timeline may have been managed less well, may have been subjected to special circumstances that resulted in injury or damage to the tree, or may have received inadequate interim maintenance. According to normal current conditions that appear to prevail throughout southern California, California peppers thrive as shade trees for about forty or fifty years before they begin to substantially deteriorate. Factors that tend to induce deterioration and decline include restrictive growing environments, encroachment by new development or construction, inclement weather, deferred maintenance, and other potential causes.

## 6.1 Veteran Trees

A tree entering the developmental phase where it is relatively static in energy production may or may not respond positively to routine maintenance and corrective pruning. Inspections of shade trees become more significant as the tree ages, and maintenance decisions for the older mature tree should focus primarily on treatments to prolong its life. Ideally, routine maintenance over the first 50 or 60 years included pruning techniques that developed the canopy structure, one which accommodates incremental modifications to reduce its size. Services and techniques for maintaining desirable tree characteristics or resolving undesirable tree characteristics within this category include:

- Inspections to monitor tree health and stability,
- Pruning/treatments to manage load and weight distribution,
- Pruning/treatments to reconstruct a tree canopy,
- Tree removal.

6.2 Deteriorating tree conditions will be evident when primary or secondary branches begin to fail, or when routine pruning has been determined to be insufficient to remedy weight distribution or other architectural conditions within the tree canopy. These factors, or the anticipation of corresponding conditions, should activate authorization of a thorough inspection by a qualified arborist. The distinction between a mature shade tree requiring routine maintenance and a tree that should be categorized as a veteran tree can be a matter of degree. Indications that a tree has reached veteran tree status are determined by a qualified arborist as a result of field evaluations. The qualified arborist should provide a written report to document existing conditions of the tree's health and stability, and provide recommendations to mitigate interim deficiencies. Routine inspections by a qualified arborist should occur on no less frequently than on an annual basis once a tree achieves veteran tree status.

'Historic tree spaces are conserved, a reasonably safe, shady, tree-lined street is realized, suitable historic relics ... for the sake of posterity'

...mission of the scenario presented in the 2003 study

... trees tend to develop along a certain progression...

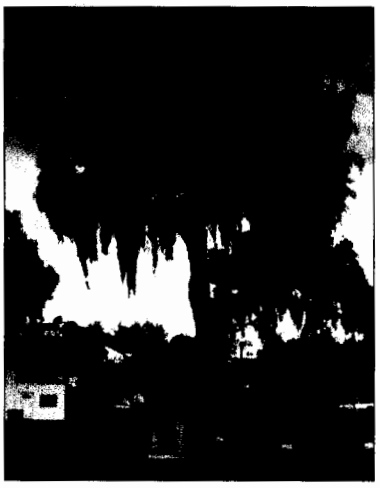
... maintain the landscape with variable-aged trees... sustain the landscape in perpetuity...

... removal of old senescent trees ... renewal by installing healthy young replacements ... assure achievement of a perpetual historic resource ...

6.3 Initial inspections of the grove have been prepared using specific formats to perform 1) hazard assessments, and 2) to evaluate the structural integrity and conditions of health. The first format is useful when it is important to identify specific threats to the community from an apparent defective tree; the second format is useful in making fundamental assessments and it should be adopted for future reporting by the qualified arborist. By focusing on five individual attributes: the root zone, trunk, major scaffold limbs, smaller branches and twigs, and the foliage, a thorough examination of the tree is conducted and reported. These attributes are rated from 1 to 4- 1 indicating extreme problems, 2 indicating major problems, 3 indicating minor problems, and 4 indicating no apparent problems. The roots, trunk and scaffolds are assessed both for health and stability; stability is not considered a major factor of the smaller branches and twigs and the foliage. A condition summary is indicated for each tree and a rating assigned to the condition summary. In the 2003 study (see Table 2 Arborist's Report: Selected High Street Pepper Trees - December 2003), indications reported correspond to percentage expressions extrapolated as: *fairly low*, *low*, *very low*, and *poor*. Future reports are likely to include some indications ranging from *fairly low* to *very low*. An additional column should be provided to indicate specific notes relevant to each tree.

6.4 Some trees may experience damage or injury so extreme that it would be unreasonable to mitigate the conditions by pruning or other treatments. The impact may be that, if treated, an extremely disfigured tree would result, or, treatments may be insufficient to maintain the public health and safety. It is anticipated that these factors would rarely abound, nevertheless, in such cases it would be appropriate to simply remove and replace the tree thereby excluding other measures that

typically would be taken to prolong the service life of a less severely damaged tree.



### 7.1 Senescent Trees

While some trees may be severely damaged in inclement weather, damaged by negligent or accidental acts, or doomed for other reasons, all living organisms eventually die and cease to contribute useful service. Prevailing conditions that characterize senescent trees include:

- Wasted specimens that attract vermin or otherwise represent a significant public nuisance,
- Specimens producing less than 10 percent live tissues determined by mass,
- Deteriorated specimens in locations where substantial public interest is in favor or replanting with a new tree.

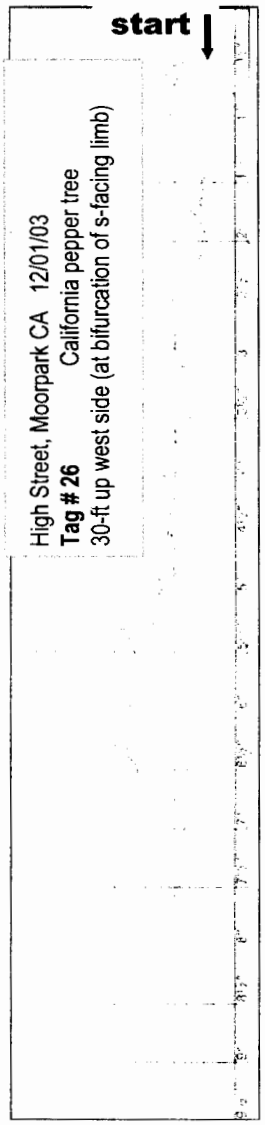
Thresholds for trees that progress to senescent status are apparent and it is highly advisable that such determinations be made prior to catastrophic failure. Such failures may occur as a result of evolving deterioration and progression into senescence, or they may occur as a result of a significant event.

A qualified arborist must carefully evaluate trees that are subjected to significant damage as a result a major storm; struck by vehicle; intentional vandalism; or other unique occurrence very soon after the event. The target vicinity within the fall line of any portion of the remaining tree must be immediately cordoned-off and restricted from the public until the arborist has evaluated the tree's stability. If it is apparent to the arborist that the tree cannot be rehabilitated such that it may eventually be restored as a shade tree, or that it may be transitioned to veteran tree status, the tree should be removed and consideration given for its replacement. Procedures for rehabilitating a damaged or deteriorating tree are indicated elsewhere in this study.

The event that triggers condemnation of a senescent tree is based on assessments and evaluations provided in report(s) prepared by a qualified consulting arborist. These reports must establish a context for the condition of the tree, and show clear evidence of progressive extreme decline and/or significant deterioration, and the documentation must draw upon criteria or evaluation framework that are defensible, acceptable within the standards of the arboricultural industry, and clearly applicable as determined by authorities at the City of Moorpark. Two examples of such a process are described in the hypothetical events as follows:

First scenario
'The shade tree tagged #12 in front of the Cactus Patch Restaurant at 197 E. High Street is significantly damaged when a cement truck traveling westbound drifts too close to the pedestrian right-of-way and strikes the tree.' 'The impact breaks two-thirds of the canopy away (red-shaded area in the picture, left).' 'The remaining portion leans over the restaurant at an extreme angle, and a large wound remains in the stem where the broken portion was torn away.' 'Conditions might even be so extreme that, in order to protect public health and welfare a determination is made by safety officers that the remaining portion of the tree should be removed immediately.' 'If it is apparent that the scene can be secured temporarily, a qualified arborist is summoned to inspect the tree, provide an evaluation, and prepare a written report.' 'It is likely that the arborist will condemn this tree due to the severity of the damage inflected to the otherwise healthy shade tree, and the site would be prepared for a replacement California pepper tree.'

Second scenario
'The large old pepper tree tagged #26 is situated in a very restrictive planter abutting the parking lot entry to Kahoots Feed & Supply at 360 E. High Street.' 'An entry



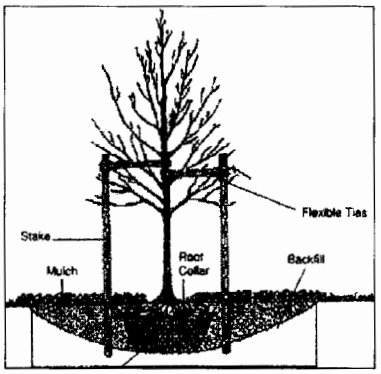

into the adjacent parking lot at the Moorpark METROLINK Station also abutts the restrictive planter.' 'Several inspections and evaluations have been conducted on the tree, including the recent inspection in December 2000 by a qualified consulting arborist, when the tree was noted as having a HIGE FAILURE POTENTIAL.' 'The hazard rating system utilized in 2000 was based on methodology contained in A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas by Matheny and Clark.' 'Another recent inspection provided in August 2003 was more general, but it called for an additional assessment process utilizing special instruments and analysis.'

'In December 2003 an indepth report was prepared by another qualified consulting arborist, using a Resistograph – an instrument specifically designed and manufactured to determine the relative degree of decay in internal woody tissues and producing a wax strip that displays the results of the measurement.' 'Assesssment criteria recommended by the Council of Tree and Landscape Appraisers, which includes a thorough assessment of five attribute categories (roots, stem, major limbs, minor limbs, and foliage), and employing a rating methodology, was also used to describe and characterize biological health and mechanical stability of the tree.' 'When employed by a qualified diagnostition, as performend here, both the instrument and analysis methology provide a very comprehensive evaluation of the tree.' 'Findings conveyed in the assessment report indicated that the tree was senescent and should be removed.'

Accordingly, these scenerios illlustrate two different examples of appropriate thresholds to trigger removal of a tree. In each case, evidence is provided by qualified experts to the jurisdictional authority, recommendations are taken into consideration, and, when appropriate, a senescent tree is removed.

California Pepper Grove – High Street Moorpark, California

young trees...




shade trees...

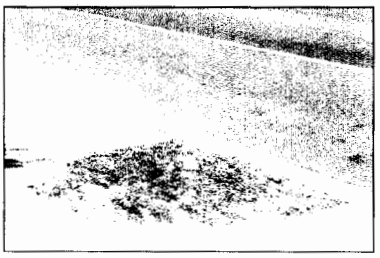
## 8.1 Summary of Maintenance Tasks and Triggers

The following is an incremental listing of maintenance tasks, procedures, and their triggers:

- A site becomes available
- Underground services alert is contacted to identify potential subterranean conflicts
- The site is surveyed to determine if adequate space is available to accommodate a mature California pepper tree's canopy
- The site is surveyed to determine if adequate space is available in the pavement opening to cultivate a 24-inch box specimen California pepper tree and raise it to maturity; cut or otherwise modify the pavement to accommodate a minimum 5-foot by 5-foot opening
- Select a new 24-inch box specimen tree conforming to the highest nursery standards available
- Install the new tree according to best management practices
- Provide supplemental support systems according to best management practices
- Provide supplemental irrigation until the tree is established
- Provide pruning treatments to direct growth and avoid conflicts; avoid excessive removal of foliage, retain foliage that originates low in the tree's architecture for an extended period
- Trees attain shade tree status when they provide substantial solar shading, provide clearance for vehicular and pedestrian traffic, and contribute as an engineering and aesthetic attribute in the street side environment
- Provide clearance pruning as needed
- Provide routine pruning on a maximum 4-year cycle according to best management practices
- Task tree care personnel to report any deficiencies that are found during routine tree maintenance activities

veteran trees...

senescent trees...



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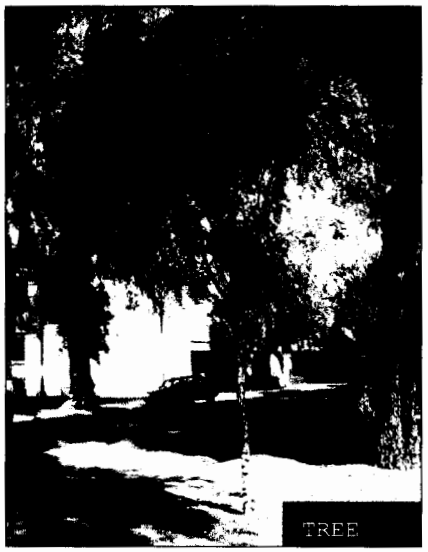
- Monitor older large shade trees for potential deterioration
- Monitor trees that have been damaged or injured due to inclement weather, negligent or accidental acts, or other reasons
- Trees attain veteran tree status when they become relatively static in energy production and may not respond positively to routine maintenance and corrective pruning
- Authorize a qualified arborist to evaluate the veteran tree on an annual basis (or more frequently)
- Procure and process a written report from the qualified arborist
- Provide pruning treatments to reconstruct a tree canopy, as needed, according to the specifications of a qualified arborist
- Provide maintenance recommendations, including removals, based upon the evaluation of a qualified arborist
- Trees attain senescent tree status when they produce less than 10% live tissues determined by mass, are wasted specimens that attract vermin or otherwise represent a significant public nuisance, or when substantial public interest favors replacement
- Consider the merits of the site and its appropriateness for replacement with a new California pepper tree based upon site restrictions and encroachment criteria; replace the tree when appropriate.

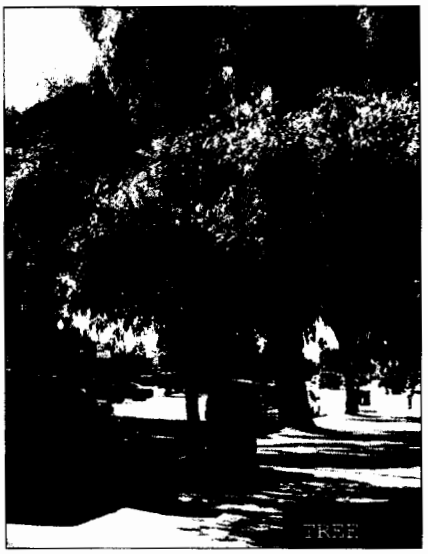

## 9.1 Young Trees for Installation and Establishment Treatments

Tag/site #15 This 2.5-inch caliper newly installed tree is growing in a typically restricted growing space. It is staked with double stakes. The tree has not yet established. Monitor the tree's progress; provide supplemental irrigation on a regular basis; trim the tops of the stakes away from lower branches (cut the stakes – not the branches) and remove the stakes and ties as soon as it is determined that the tree can stand unaided; avoid removing any live foliage until expansion of the canopy intensifies.

Tag/site #25 This 4-inch diameter tree is growing in a typically restricted growing space. The tree is becoming established. Monitor the tree's progress; provide supplemental irrigation as needed; provide routine pruning techniques as needed, direct the development of temporary major scaffold limbs on an east/west axis, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).

Tag/site #48 This 4-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter. The tree is becoming established. Monitor the tree's progress; provide supplemental irrigation as needed; provide routine pruning techniques as needed, direct the development of temporary major scaffold limbs on an east/west axis, thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree (remove up to or less than but no more than 20 percent live foliage).

## 10.1 Young Trees with Expanding Canopies and their Maintenance Needs

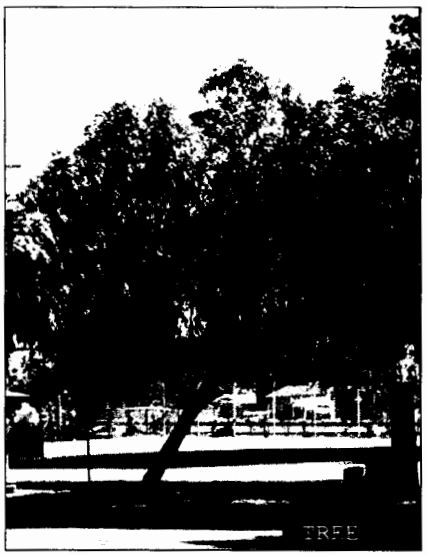



Tag/site #7 This 8-inch diameter tree is growing in a typically restricted growing space. The tree is established and requires routine maintenance treatments. Monitor the tree's progress; provide supplemental irrigation during periods of extended drought, as needed; provide routine pruning techniques as needed, direct the development of temporary major scaffold limbs on an east/west axis, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).


Tag/site #24 This 7-inch diameter tree is growing in a typically restricted growing space. The tree is established and requires routine maintenance treatments. The tree has developed with a pronounced lean to the south (toward High Street) resulting in disproportionate encroachment of the canopy into the roadway. Monitor the tree's progress; provide supplemental irrigation during periods of extended drought, as needed; provide crown reconstruction pruning techniques to counter canopy encroachment; provide routine pruning techniques as needed, direct the development of temporary major scaffold limbs on an east/west axis, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.

Tag/site #40 This 8-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter. The tree is established and requires routine maintenance treatments. The tree is situated in very close proximity to the adjacent tree (tagged #41) resulting in an inclusion of the two canopies. This tree has a dominant canopy at this time. Monitor the tree's progress; provide supplemental irrigation as needed; provide crown reconstruction pruning techniques to counter canopy encroachment, provide routine pruning techniques as needed, direct the development of temporary major scaffold limbs on an east/west axis, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.

Tag/site #41 This 7-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter. The tree is established and requires routine maintenance treatments. The tree is situated in very close proximity to the adjacent trees (sites #40 and #42) and the canopies are impacting each other. This tree has a subordinate canopy at this time. Monitor the tree's progress; provide supplemental irrigation during periods of extended drought, as needed; provide crown reconstruction pruning techniques to promote development of adjacent tree's canopy; provide routine pruning techniques as needed, direct the development of temporary major scaffold limbs on an east/west axis, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).



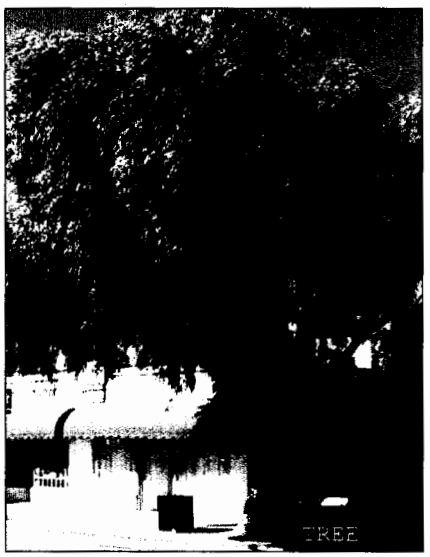

Tag/site #50 This 10-inch diameter tree is growing in an atypical growing space – it is set back about 2' from the monolithic boardwalk/sidewalk and a gravel/asphalt parking lot exists about 3' behind the tree; its canopy is restricted by an adjacent tree growing 25 feet to the west. The tree is established and requires routine maintenance treatments. The tree has developed with a pronounced lean to the west (toward tree tagged #51) resulting in an inclusion of the two canopies. Neither tree is subordinated at this time. Monitor the tree's progress; provide supplemental irrigation as needed; provide crown reconstruction pruning techniques to counter canopy encroachment, provide routine pruning techniques as needed, direct the development of temporary major scaffold limbs on an east/west axis, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.


Tag/site #51 This 10-inch diameter tree is growing in an atypical growing space – it is set back about 2' from the monolithic boardwalk/sidewalk and a gravel/asphalt parking lot exists about 3' behind the tree; its canopy is restricted by adjacent trees growing 23 feet to the west and 25 feet to the east. The tree is established and requires routine maintenance treatments. Adjacent trees on each side are situated in very close proximity to this tree resulting in an inclusion of the three canopies. None of these trees are subordinated at this time. Monitor the tree's progress; provide supplemental irrigation as needed; provide crown reconstruction pruning techniques to counter canopy encroachment, provide routine pruning techniques as needed, direct the development of temporary major scaffold limbs on an east/west axis, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible

breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.


Tag/site #52 This 7-inch diameter tree is growing in an atypical growing space – it is set back about 2' from the monolithic boardwalk/sidewalk and a gravel/asphalt parking lot exists about 3' behind the tree; its canopy is restricted by an adjacent tree growing 23 feet to the east. The tree is established and requires routine maintenance treatments. The tree has developed with a pronounced lean to the west and their canopies are growing toward each other. Neither tree is subordinated at this time. There is a wire girdling the trunk about 7 feet up from grade – this restrictive device must be removed at the earliest opportunity. Monitor the tree's progress; provide supplemental irrigation as needed; provide crown reconstruction pruning techniques to counter canopy encroachment, provide routine pruning techniques as needed, direct the development of temporary major scaffold limbs on an east/west axis, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.

## 11.1 Shade Trees and their Maintenance Needs




Tag/site #1 This 23-inch diameter tree is growing in a typically restricted growing space with a park-style bench located about 10 feet north of the planting site. The tree has a canopy that extends about 30 feet high and as wide. The main stem leans to the north (away from High Street), but its dense canopy has become reoriented toward the south. Multiple primary scaffold limbs originate from the main stem about 12 feet up from grade. Monitor the tree's stability on a routine basis (at least annually and at times of inclement weather), especially sections that extend over (and therefore tend to threaten) the vicinity of the park bench; provide crown reconstruction pruning techniques to improve scaffold branch attachment and arrangement, provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.

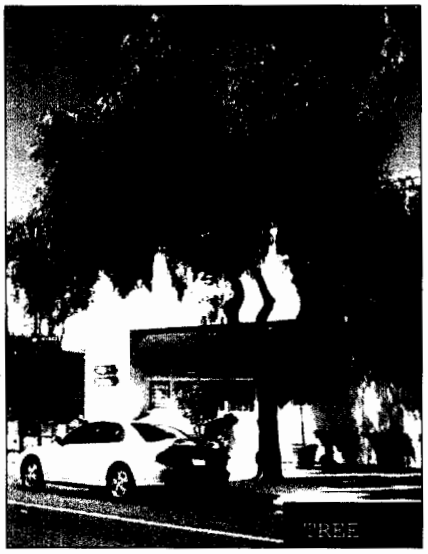

Tag/site #2 This 21-inch diameter tree is growing in a typically restricted growing space with a park-style bench located about 10 feet north of the planting site. The tree has a canopy that extends about 35 feet high and 25 feet wide. One or more of the primary scaffold limbs are oriented toward the east and originate from the main stem about 8 feet up from grade. Monitor the tree's stability on a routine basis (at least annually and at times of inclement weather); provide crown reconstruction pruning techniques to improve scaffold branch attachment and arrangement, provide routine pruning techniques as needed, prune to provide adequate clearance for vehicular traffic on High Street and

pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree remove up to or less than but no more than 20 percent of the live foliage).


Tag/site #3 This 19-inch diameter tree is growing in a typically restricted growing space. The tree has a canopy that extends about 40 feet high and as wide. The main scaffold limbs are well distributed to support the canopy architecture; the lowest one originates about 8 feet up from grade. Monitor the tree's stability on a routine basis; provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).


Tag/site #4 This 15-inch diameter tree is growing in a typically restricted growing space. The tree has a canopy that extends about 30 feet high and 25 feet wide. The main stem leans to the west and its dense canopy has regenerated from a branch architecture altered by severe pruning. Monitor the tree's stability on a routine basis; provide crown reconstruction pruning techniques to improve scaffold branch attachment and arrangement, provide routine pruning techniques as needed, prune to provide adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if

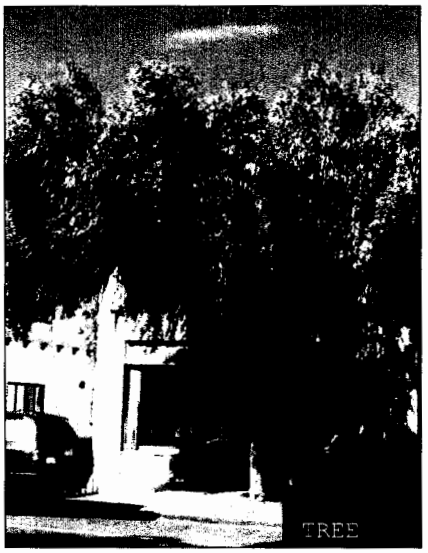
possible but take necessary steps to redirect canopy development while maintaining tree health.



Tag/site #5 This 14-inch diameter tree is growing in a typically restricted growing space. The tree has a canopy that extends about 35 feet high and as wide. The tree was somewhat over pruned previously and the main scaffold limbs originate low in the canopy architecture; the lowest major scaffold limb bifurcates from the stem about 6 feet up from grade and the canopy is raised high and distributed among four roughly co-dominant scaffolds that are oriented on an east/west axis. Monitor the tree's stability on a routine basis; provide crown reconstruction pruning to promote branch develop lower in the canopy, provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.

Tag/site #8 This 38-inch diameter tree is growing in a typically restricted growing space with a park-style bench located about 10 feet northwest of the planting site. The tree has a canopy that extends about 50 feet high and 60 feet wide. Initial stem bifurcation occurs about 10 feet up, progressive branching of primary and secondary scaffold limbs occurs throughout the canopy promoting a well distributed branch architecture. Several of the scaffold limbs are long and horizontal and tend to be heavily loaded toward branch ends. Monitor the tree's stability on a routine basis; provide crown reconstruction pruning techniques along the long horizontal limbs to promote branch development and architectural structure closer toward the main stem, provide routine pruning

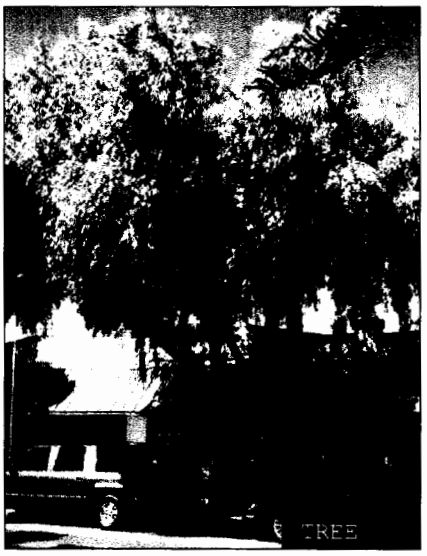
techniques as needed, prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, routinely reduce horizontal canopy expansion by selectively cutting back terminal ends to appropriate-sized and well-placed lateral branches, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).




Tag/site #10 This 12-inch diameter tree is growing in a typically restricted growing space. It does not have a number tag attached to the trunk at this time. The tree has a canopy that extends about 25 feet high and 35 feet wide. Multiple primary scaffold limbs originate from the main stem about 8 feet up from grade with a horizontal orientation. Monitor the tree's stability on a routine basis; provide crown reconstruction pruning techniques to improve scaffold branch attachment and arrangement, provide routine pruning techniques as needed, prune to provide adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.


Tag/site #11 This 15-inch diameter tree is growing in a typically restricted growing space. It does not have a number tag attached to the trunk at this time. The tree has a canopy that extends about 35 feet high and as wide. Initial stem bifurcation occurs about 8 feet up, progressive branching of primary and secondary scaffold limbs occurs throughout the canopy promoting a well distributed branch architecture. Monitor the tree's stability on a routine basis; provide routine pruning

techniques as needed, prune to provide adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).

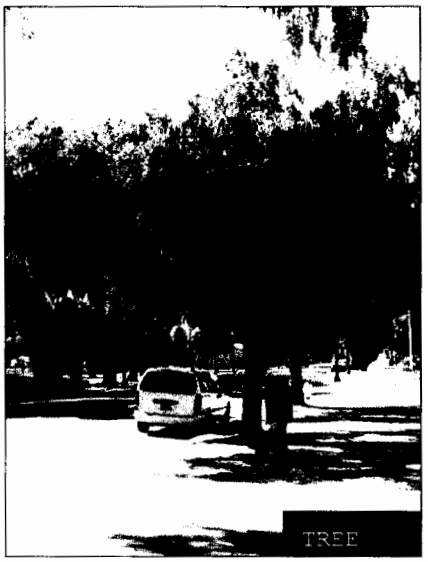


Tag/site #12 This 18-inch diameter tree is growing in a typically restricted growing space. It does not have a number tag attached to the trunk at this time. The tree has a canopy that extends about 35 feet high and 40 feet wide. Initial stem bifurcation occurs about 6 feet up, progressive branching of primary scaffold limbs with sharp-angled crotches occurs throughout the canopy. Monitor the tree's stability on a routine basis with particular emphasis on the attachment of limbs with sharp-angled crotches; provide crown reconstruction pruning techniques to improve scaffold branch attachment and arrangement, provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.

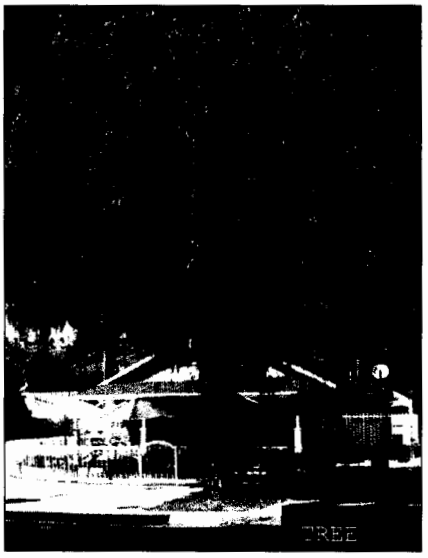
Tag/site #14 This 25-inch diameter tree is growing in a modified typically restricted growing space – the planter pops out into the roadway a distance of about 4 feet. The tree has a canopy that extends about 20 feet high and as wide. Multiple primary scaffold limbs originate from the main stem about 12 feet up from grade and support a dense, asymmetrical canopy. Monitor the tree's stability


on a routine basis; provide crown reconstruction pruning techniques to improve scaffold branch attachment and arrangement, provide routine pruning techniques as needed, prune to provide adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.


Tag/site #16 This 39-inch diameter tree is growing in a modified typically restricted growing space – the planter pops out into the roadway a distance of about 4 feet. The tree has a canopy that extends about 50 feet high and 60 feet wide. Initial stem bifurcation occurs about 20 feet up, progressive branching of primary and secondary scaffold limbs occurs throughout the canopy producing an especially high canopy architecture. Several of the scaffold limbs are long and horizontal and tend to be heavily loaded toward branch ends. Monitor the tree's stability on a routine basis; provide crown reconstruction pruning techniques along the long horizontal limbs to promote branch development and architectural structure closer toward the main stem, provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, routinely reduce horizontal canopy expansion by selectively cutting back terminal ends to appropriate-sized and well-placed lateral branches, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).

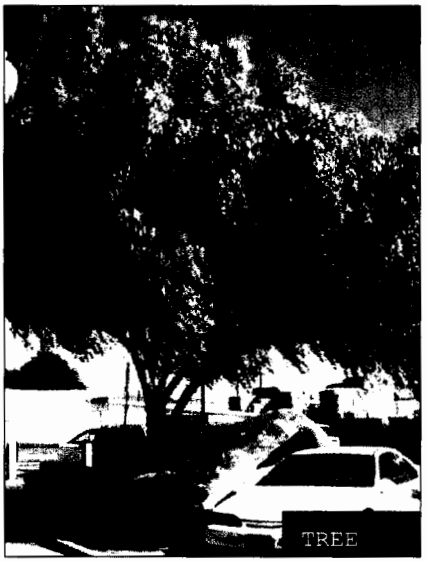



Tag/site #20 This 17-inch diameter tree is growing in a typically restricted growing space. The tree has a canopy that extends about 25 feet high and as wide. Initial stem bifurcation occurs about 8 feet up, progressive branching of primary and secondary scaffold limbs occurs throughout the canopy promoting a well distributed branch architecture. Removal of one or more low horizontal limbs may improve the canopy form and reduce long-term pedestrian clearance requirements. Monitor the tree's stability on a routine basis; provide routine pruning techniques as needed, prune to provide adequate clearance for vehicular traffic on High Street and pedestrian traffic long the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).

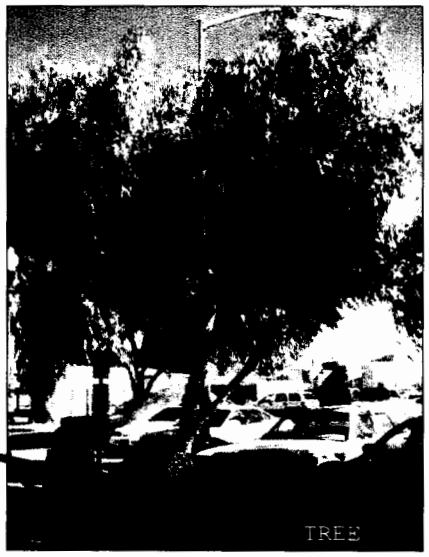



Tag/site #21 This 23-inch diameter tree is growing in a typically restricted growing space with a park-style bench located about 10 feet east of the planting site. The tree has a canopy that extends about 20 feet high and 30 feet wide. Initial stem bifurcation occurs about 6 feet up with multiple primary scaffold limbs originating low on the main stem and extending along a horizontal angle. Monitor the tree's stability on a routine basis, especially sections that extend over (and therefore tend to threaten) the vicinity of the park bench; provide crown reconstruction pruning techniques to improve scaffold branch attachment and arrangement, provide routine pruning techniques as needed, prune to provide adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but

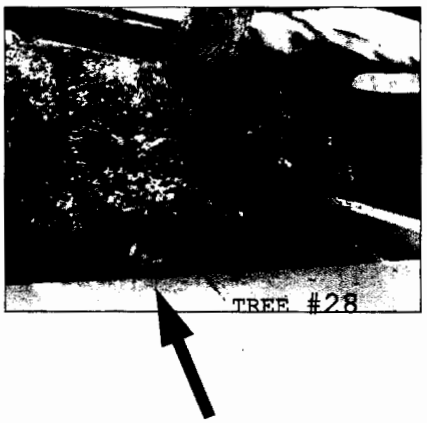
take necessary steps to redirect canopy development while maintaining tree health.




Tag/site #27 This 15-inch diameter tree is growing in an atypical growing space that is 15 feet deep but only 5 feet wide. The tree has developed with a pronounced lean to the south; its canopy extends about 20 feet high and 25 feet wide. Initial stem bifurcation occurs about 4 feet up with multiple primary scaffold limbs originating with narrow crotch angles, low on the main stem, and extending along a low, horizontal angle. Monitor the tree's stability on a routine basis, especially sections that extend over (and therefore tend to threaten) the vicinity of the parking lot; provide crown reconstruction pruning techniques to improve scaffold branch attachment and arrangement, provide routine pruning techniques as needed, prune to provide adequate clearance for vehicular and pedestrian traffic, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.

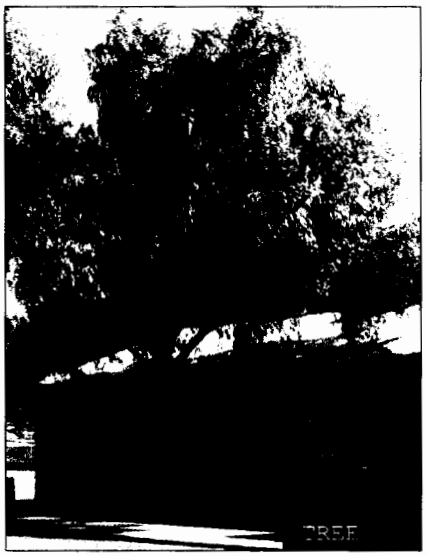



Tag/site #28 This 11-inch diameter tree is growing in an atypical growing space that is 9 feet wide but the trunk is only 1 foot west and 2 feet south of pavement edges. Large surface roots (6-inches in diameter and 4-inches in diameter – see detail photo) have been cut on the north side, behind the direction of the tree's lean, to avert encroachment with adjacent pavement. This treatment tends to destabilize the tree. The tree has one low horizontal scaffold limb extending to the south; its canopy, 20-foot high and as wide, is otherwise symmetrical. Monitor the tree's stability on a routine basis, especially sections that extend over (and therefore tend to threaten) the vicinity of the parking lot; provide pruning treatments to remove the low branch and




improve the branch distribution, provide routine pruning techniques as needed, prune to provide adequate clearance for vehicular and pedestrian traffic, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health. When the opportunity arises to replace the tree the new specimen should be centered in the growing space.


Tag/site #35 This 32-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter. The tree has a canopy that extends about 30 feet high and 60 feet wide. Initial stem bifurcation occurs about 20 feet up, progressive branching of primary and secondary scaffold limbs occurs throughout the canopy producing an especially high canopy architecture. Several of the scaffold limbs are long and horizontal and tend to be heavily loaded toward branch ends. Monitor the tree's stability on a routine basis; provide crown reconstruction pruning techniques along the long horizontal limbs to promote branch development and architectural structure closer toward the main stem, provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, routinely reduce horizontal canopy expansion by selectively cutting back terminal ends to appropriate-sized and well-placed lateral branches, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).




Tag/site #37 This 13-inch diameter tree is growing in an atypical growing space with 9 feet between a building and the monolithic sidewalk. Additionally, the space is essentially unlimited in its width. The tree has developed with a pronounced lean to the north, away from the building. The tree has one low horizontal scaffold limb extending to the north; its canopy, 20 feet high and as wide, would otherwise be symmetrical. Monitor the tree's stability on a routine basis, especially the impact of and potential pressure from the root zone as it develops in the vicinity of the adjacent building; provide pruning treatments to remove the low branch and improve the branch distribution, provide routine pruning techniques as needed, prune to provide adequate clearance for vehicular and pedestrian traffic, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.


Tag/site #38 This 14-inch diameter tree is growing in an atypical growing space that is 5 feet deep – the tree trunk abuts a sidewalk section extended into the planter to accommodate an ornamental street lamppost. Imminent conflict is likely with the adjacent meandering sidewalk. Monitor the tree's stability and its impact on adjacent structure and infrastructure; provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular and pedestrian traffic and clearance from the building roof, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage). When an opportunity arises to replace the tree the new specimen should be accommodated by the growing space.


Tag/site #42 This 11-inch diameter tree is growing in an atypical growing space 4 feet east of brick paving (on the west side) and the tree's stem is 3 feet south of the sidewalk on the north side, which was extended to allow pedestrians to meander around an ornamental street lamppost. A potential future encroachment conflict is likely with the adjacent paved surfaces. The tree has a low, horizontal canopy architecture that extends about 18 feet above ground and westward, somewhat toward the gazebo. Monitor the tree's stability and its impact on adjacent structure and infrastructure; provide crown reconstruction pruning techniques along the long horizontal limbs to promote branch development and architectural structure closer toward the main stem, provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular and pedestrian traffic and clearance from the gazebo, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, avoid heading-back terminal ends and promote an upward growing canopy architecture, avoid over pruning the tree if possible but take necessary steps to redirect canopy development while maintaining tree health.


Tag/site #43 This 42-inch diameter tree is growing in an atypical growing space – and potential conflict is likely with the adjacent paved surfaces. Additional conflicts are likely with high voltage utility power lines that run along the south side of the tree. The tree has a canopy that extends about 40 feet high and 55 feet wide. Due to the phototropism and its effect on plant growth, portions of the tree canopy will have an inclination to encroach into the vicinity of these energized conductors. Unless maximum clearance standards are met, clearance pruning will occur by agents of the utility company and the interests of the tree will be secondary at best. (Utility line clearance is conducted in accordance with requirements of General Order 95, Rule 35 of The California Public Utilities Commission). Initial stem

bifurcation occurs about 10 feet up, progressive branching of primary and secondary scaffold limbs occurs throughout the canopy promoting a well distributed branch architecture. Several of the scaffold limbs are long and horizontal and tend to be heavily loaded toward branch ends. Monitor the tree's stability on a routine basis; provide crown reconstruction pruning techniques along the long horizontal limbs to provide maximum clearance from high voltage utility lines, promote branch development and architectural structure closer toward the main stem, provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular and pedestrian traffic, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, routinely reduce horizontal canopy expansion by selectively cutting back terminal ends to appropriate-sized and well-placed lateral branches, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).

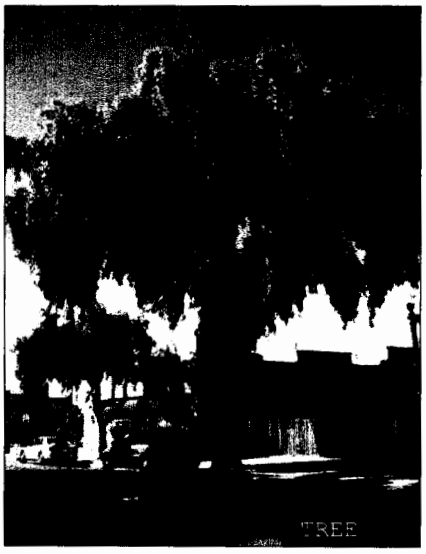

Tag/site #46 This 41-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter, though there is a concrete pad with a park bench a short distance to the east of the tree base. Other potential conflicts are possible with high voltage utility power lines that run along the south side of the tree. The tree has a canopy that extends about 50 feet high and 50 feet wide. This tree has a co-dominant stem architecture and initial stem bifurcation occurs about 6 feet up. Lateral branching secondary scaffold limbs occurs high in the canopy resulting in severe canopy architecture. Several of the secondary scaffold limbs are long and horizontal, and may develop a tendency to become overloaded toward branch ends. Monitor the tree's stability on a routine basis; provide crown reduction pruning techniques along the long horizontal limbs to promote branch development and architectural structure closer toward the main stem,

provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular and pedestrian traffic but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, promote an upward growing canopy architecture and routinely reduce horizontal canopy expansion by selectively cutting back terminal ends to appropriate-sized and well-placed lateral branches, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).

Tag/site #47 This 40-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter, though the adjacent tree (#46) is growing with its trunk only 20 feet away to the east and high voltage utility power lines run along the south side of the tree. The tree's canopy extends about 50 feet high and as wide. The tree leans to the south and little of its canopy architecture extends to the north or to the east. Lateral limbs extending to the south have been truncated due to the high voltage utility lines. Additionally, a new tree has been installed adjacent and to the west, also about 20 feet away. The canopy of this tree must be modified over time if the small new tree is to develop its full form. Monitor the tree's stability on a routine basis; provide crown reconstruction pruning techniques on the north and south side to promote lateral branching and natural branch structure, provide crown reduction pruning techniques on the west side to provide solar radiation exposure for the adjacent new tree, provide routine pruning techniques as needed, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, routinely reduce horizontal canopy expansion by selectively cutting back terminal ends to appropriate-sized and well-placed lateral branches, avoid over pruning the tree (remove up

to or less than but no more than 20 percent of the live foliage).


Tag/site #49 This 51-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter. The tree's canopy extends about 50 feet high and 70 feet wide. Three primary scaffold limbs bifurcate from the stem about 6 feet above grade and triangulate in such a fashion as to avoid the vicinity of power lines that run along the south side of the tree. A utility pole and associated communications lines are located beneath and extending through the canopy; this infrastructure has minor relevance to tree maintenance. Monitor the tree's stability on a routine basis; provide crown reconstruction pruning techniques along the long horizontal limbs to promote branch development and architectural structure closer toward the main stem, provide routine pruning techniques as needed, prune to maintain adequate clearance for vehicular traffic on High Street, prune to thin foliage on heavily laden limbs to avoid excessive strain, drooping, and possible breakage, routinely reduce horizontal canopy expansion by selectively cutting back terminal ends to appropriate-sized and well-placed lateral branches, avoid over pruning the tree (remove up to or less than but no more than 20 percent of the live foliage).




## 12.1 Veteran Trees and their Maintenance Needs

Tag/site #6 This 39-inch diameter tree is growing in a typically restricted growing space. Previous assessments indicate extreme problems with trunk stability and major problems with both the health and stability of scaffold limbs. The tree's canopy extends about 50 feet high and 60 feet wide. The initial stem bifurcation is about 20 feet up, progressive branching of secondary scaffold limbs occurs throughout the canopy producing an extensive but especially high canopy architecture. Several of the

scaffold limbs are long and horizontal and tend to be heavily loaded toward branch ends. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem.


Tag/site #9 This 40-inch diameter tree is growing in a typically restricted growing space. In addition to paving/surface restrictions the tree is situated in close proximity to the adjacent tree (#8); they were planted 20 feet on center. Allowing for reasonable canopy extension and healthy long-term development, a minimum specification for trees this size should be 30 feet on center. Previous assessments indicate extreme problems with trunk stability and major problems with both the health of scaffold limbs and smaller branches and twigs. The tree's canopy extends about 55 feet high and 60 feet wide. The initial stem bifurcation is about 10 feet up, progressive branching of secondary scaffold limbs occurs throughout the canopy producing an extensive canopy architecture. Most or all of the scaffold limbs are long and horizontal and tend to be heavily loaded toward branch ends. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk

but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem.

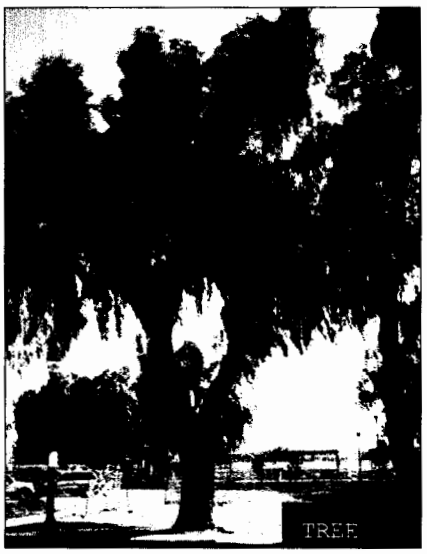

Tag/site #13 This 43-inch diameter tree is growing in a modified typically restricted growing space – the planter pops out into the roadway a distance of about 4feet. Previous assessments indicate major problems with both root stability and scaffold stability, and extreme problems related to a large trunk cavity and decay. The tree has a pronounced lean to the north and has a canopy extending about 40 feet high and 60 feet wide. The initial stem bifurcation is about 10 feet up with 5 primary scaffold limbs and progressive branching of secondary scaffold and smaller branches and twigs throughout the canopy. Each of the scaffold limbs is long and horizontal and tends to be heavily loaded toward branch ends. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem.


Tag/site #17 This 41-inch diameter tree is growing in a modified typically restricted growing space – the planter pops out into the roadway a distance of about 4 feet. Previous assessments indicate extreme problems with roots stability and trunk stability and major problems with the health of the roots. This tree's condition warrants ongoing consideration for its useful contribution to the grove. The tree's canopy extends about 50 feet high and 44 feet wide. The one large lateral limb originates about 8 feet up from grade; it is truncated about 10 above its point of origination. The primary

scaffold bifurcation is about 20 feet up and extensive branching of secondary scaffold limbs occurs throughout the canopy producing a narrow and especially high canopy architecture. Several of the scaffold limbs are long and tend to be heavily loaded toward branch ends. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem.


Tag/site #23 This 40-inch diameter tree is growing in a typically restricted growing space. Previous assessments indicate major problems with the stability of the trunk and the scaffold limbs. The tree's canopy extends about 40 feet high and 44 feet wide. This tree has co-dominant stem architecture and initial stem bifurcation occurs about 8 feet up. Lateral secondary scaffold limbs occur high in the canopy resulting in canopy architecture exerting severe leverage on weakened primary structure elements. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular traffic on High Street and pedestrian traffic along the sidewalk but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem.


Tag/site #30 This 37-inch diameter tree is growing in an atypical growing space – 19 feet wide and 26 feet deep, with a monolithic sidewalk and curb/gutter. Previous assessments indicate major problems with the health and stability of the trunk and the scaffold limbs. The tree's canopy extends about 40 feet high and 47 feet wide. The initial stem bifurcation is about 15 feet up, with 3 primary scaffold limbs and secondary scaffold and smaller branches and twigs throughout the canopy. Several of the major lateral limbs are long, horizontal, and tend to be heavily loaded toward branch ends. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular and pedestrian traffic.




Tag/site #31 This 36-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter. Previous assessments indicate major problems with the health and stability of the trunk and the stability of scaffold limbs. The tree's canopy extends about 35 feet high and 52 feet wide. This tree has a co-dominant stem architecture and initial stem bifurcation occurs about 8 feet up. Lateral primary scaffold limbs occur high in the canopy resulting in an elevated canopy form. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular and pedestrian traffic but, over time, develop well placed

new sprouts to extend canopy architecture lower on the stem.


Tag/site #32 This 25-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter. Previous assessments indicate extreme problems with root stability and major problems with trunk and scaffold stability and scaffold health. The tree's canopy extends about 30 feet high and 43 feet wide with most of the canopy on a north south axis due to its close proximity to an adjacent tree (#31). The main stem bifurcation is about 15 feet up. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular and pedestrian traffic but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem.


Tag/site #33 This 30-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter. Previous assessments indicate major problems with root stability. The tree's canopy extends about 30 feet high and 39 feet wide. This tree has a co-dominant stem architecture and initial stem bifurcation occurs about 15 feet up. Lateral primary scaffold limbs occur high in the canopy resulting in an elevated canopy form. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular

and pedestrian traffic but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem.


Tag/site #36 This 59-inch diameter tree is growing in a typically unrestricted growing space with a meandering sidewalk, placing the tree in an open space between the sidewalk and High Street. A park bench is located on the north side between the tree and High Street, directly under the lean. Previous assessments indicate extreme problems with root health, major problems with root stability and scaffold limb stability, and due to a large cavity and decay major problems with the trunk health. The tree's canopy extends about 45 feet high and 66 feet wide. This tree has a co-dominant stem architecture and initial stem bifurcation occurs about 15 feet up. Lateral primary scaffold limbs occur high in the canopy resulting in an elevated canopy form. The initial stem bifurcation is about 10 feet up with additional bifurcation of scaffold limbs about 5 feet higher. Many of the scaffold limbs are long and horizontal and tend to be heavily loaded toward branch ends. Remove the park bench away from this location and relocate it where it will not present a potential high risk for damage or injury in case of tree failure. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular and pedestrian traffic but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem.

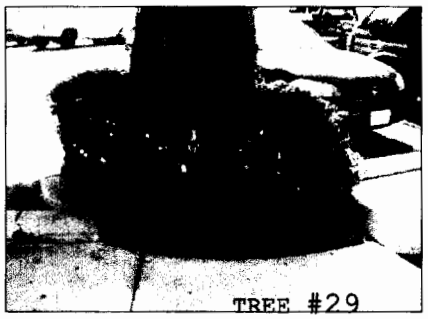
Tag/site #44 This 33-inch diameter tree is growing in a typically unrestricted growing space with a meandering sidewalk, placing the tree in an open space between the


sidewalk and High Street. A potential aerial conflict exists with high voltage utility power lines that run along the south side of the tree. Previous assessments indicate extreme problems with scaffold limb stability, and major problems with trunk stability and scaffold limb health. The tree bifurcates at about 10 up with 3 primary scaffolds, progressive branching of secondary scaffold limbs occurs producing an extensive canopy supported by long lateral limbs that tend to be heavily loaded toward branch ends. Initiate extensive crown reconstruction pruning on an annual schedule for a minimum of 5 years; progressively reduce the length of long vertical and horizontal limbs each year to gradually promote branch development and architectural structure closer toward the main stem, delay other routine pruning techniques until crown reconstruction is well underway, safety prune to maintain adequate clearance for vehicular and pedestrian traffic but, over time, develop well placed new sprouts to extend canopy architecture lower on the stem.

## 12.1 Senescent Trees – Removals and Replacements


Tag/site #22 This 48-inch diameter tree is growing in a modified typically restricted growing space – the planter pops out into the roadway a distance of about 4 feet. The tree has a canopy that extends about 45 feet high and 53 feet wide. Previous assessments indicate extreme problems with root stability, trunk stability, and scaffold limb stability and the tree has a severe lean to the west. Due to conditions of instability that cannot be mitigated the tree should be removed at the earliest opportunity, the site should be prepared for replanting and a new tree should be installed at this location. Please see planting specifications, enclosed.


Tag/site #26 This 52-inch diameter tree is growing in a modified typically restricted growing space – the planter pops out into the roadway a distance of about 4 feet. The tree has a canopy that extends about 45 feet high and 43 feet wide. Previous assessments indicate extreme problems with trunk stability and scaffold limb stability. Due to conditions of instability that cannot be mitigated the tree should be removed at the earliest opportunity and the site should be studied for its appropriateness as a designated tree site or a site designated as part of the historic California Pepper grove. If it is determined that replanting is appropriate a new tree may be installed at this location. Please see planting specifications, enclosed.





Tag/site #29 This 33-inch diameter tree is growing in a modified typically restricted growing space – the space is a 5-foot by 5-foot planter and the tree's trunk is approximately 1-foot away from the paving in each direction. The tree has a canopy that extends about 35 feet high and 39 feet wide. Previous assessments indicate extreme problems with trunk stability and scaffold limb stability. Due to conditions of instability that cannot be mitigated the tree should be removed at the earliest opportunity and the site should be studied for its appropriateness as a designated tree site or a site designated as part of the historic California Pepper grove. If it is determined that replanting is appropriate a new tree may be installed at this location.


Tag/site #34 This 29-inch diameter tree is growing in a typically unrestricted growing space with a monolithic sidewalk and curb/gutter. The tree has a canopy that extends about 30 feet high and 46 feet wide. Previous assessments indicate extreme problems with root stability and major problems with trunk health and stability and scaffold limb health and stability. Due to conditions of instability and extensive health challenges the tree should be removed at the earliest opportunity, the site should be prepared for replanting and a new tree should be installed at this location. Please see planting specifications, enclosed.


Tag/site #45 This 35-inch diameter tree is growing in a typically unrestricted growing space with a meandering sidewalk and concrete pads with park benches a short distance from the tree base on both the east and west sides. In addition, high voltage utility power lines that run along the south side of the tree. The tree has a canopy that extends about 45 feet high and 45 feet wide. Previous assessments indicate extreme problems with trunk stability and major problems with scaffold limb stability. Due to conditions of instability the tree should be removed at the earliest opportunity, the site should be prepared for replanting and a new tree should be installed at this location. Please see planting specifications, enclosed.

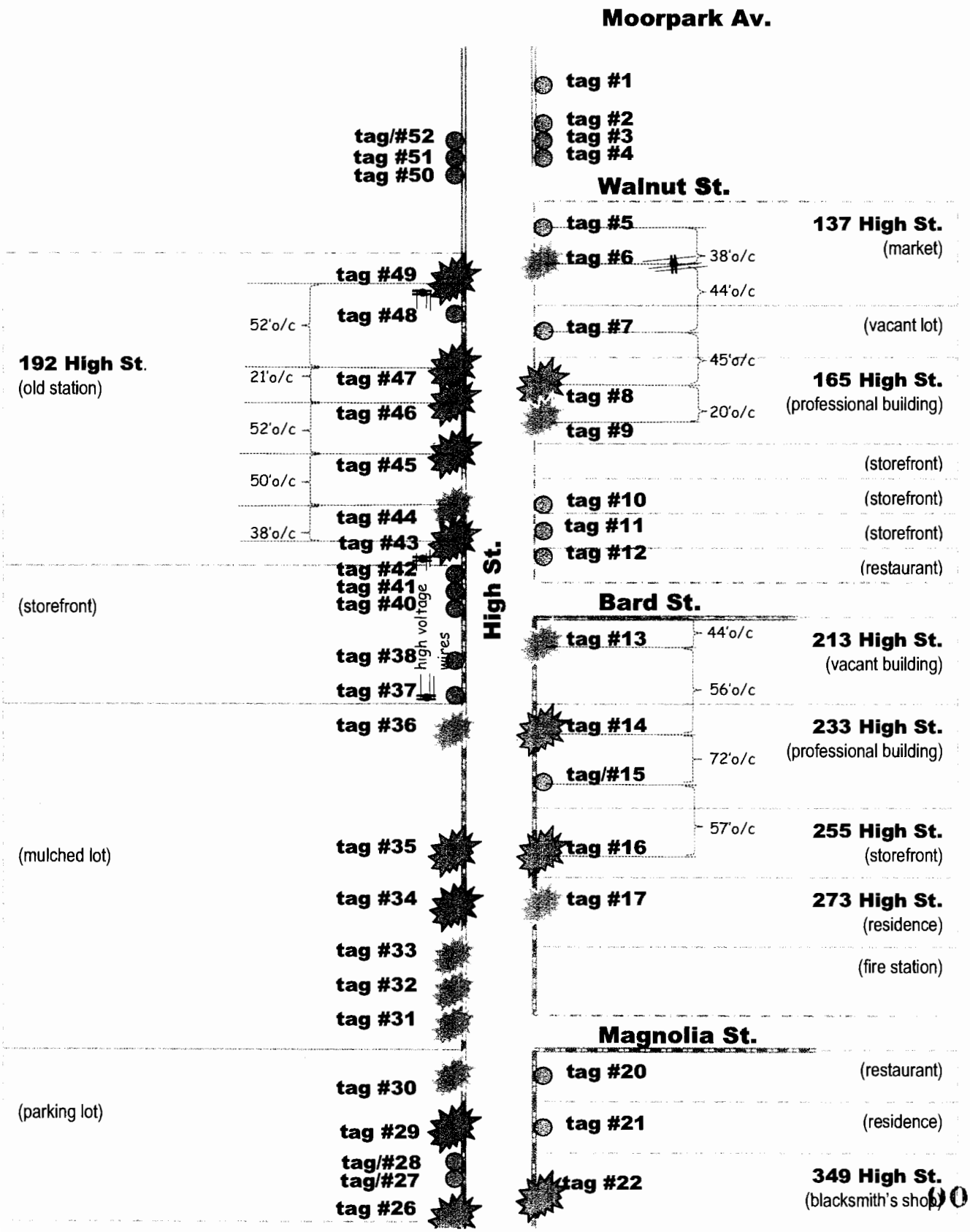
ATTACHMENTS

- Site sketch (1 page, 11x14 format)
- Planting detail and specifications (2 pages)
- Pruning details and specifications (ANSI Documents)

*High Street California Pepper Trees*

# Draft Maintenance Plan

Site sketch



# CC ATTACHMENT 2

# DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CALIFORNIA PEPPER TREES MAINTENANCE PLAN

**(Provided under Separate Cover on January 8, 2007)**

# FINAL ENVIRONMENTAL IMPACT REPORT

# CALIFORNIA PEPPER TREES MAINTENANCE PLAN

SCH No. 2006051024

City of Moorpark
Parks, Recreation, and Community Services Department
799 Moorpark Avenue
Moorpark, California 93021

000092

**CC ATTACHMENT 3**

# CONTENTS

# DRAFT ENVIRONMENTAL IMPACT REPORT

(Provided under Separate Cover)

# LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING ON THE DRAFT EIR

1. February 8, 2007 Letter from Nazir Lalani, Deputy Director of the County of Ventura Public Works Agency Transportation Department – Traffic, Advance Planning & Permits Division

2. February 22, 2007 Letter from Terry Roberts, Director, State Clearinghouse

No other comments were received.

# COMMENT LETTERS RECEIVED ON THE DRAFT EIR

(Attached)

RESOURCE MANAGEMENT AGENCY

# county of ventura

**Planning Division**

Kim Rodriguez
Director

February 21, 2007

| Post-it® Fax Note 7671 | Date 2/22/07 | # of pages ▸ 5 |
|---|---|---|
| To D. Bobardt | From C. Anthony | |
| Co./Dept. | Co. | |
| Phone # | Phone # | |
| Fax # 532-2540 | Fax # | |

David Bobardt, Planning Manager
Community Development Dept.
**City of Moorpark**
**799 Moorpark Ave.**
Moorpark

FAX #: 532-2540

**Subject: DEIR for the Calif. Pepper Trees Maintenance Plan**

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Chuck Anthony, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Chuck Anthony at (805) 654-3683.

Sincerely,

Kim Rodriguez
County Planning Director

*G:\Planning Division\Outside Environmental Documents\Response Letters*

Attachment

**County RMA Reference Number 06-024-1**

000037

**PUBLIC WORKS AGENCY**
**TRANSPORTATION DEPARTMENT**
**Traffic, Advance Planning & Permits Division**

# MEMORANDUM

**DATE:** February 8, 2007

**TO:** Resource Management Agency, Planning Division
Attention: Chuck Anthony

**FROM:** Nazir Lalani, Deputy Director

**SUBJECT:** Review of Initial Study and Draft Environmental Impact Report (DEIR).
California Pepper Tree Maintenance Plan for 52 California Pepper trees located on High Street between Moorpark Avenue and Spring Road in the City of Moorpark
Lead Agency: **City of Moorpark**

The Public Works Agency -- Transportation Department has reviewed the Initial Study and DEIR for the proposed project. The project is the maintenance of 52 California Pepper trees located on High Street between Moorpark Avenue and Spring Road in the City of Moorpark. The plan will analyze the health of the trees and provide specific services and routine maintenance for the different conditions presented by the trees. The plan also includes providing supplement irrigation on a regular basis, trimming and pruning, and replacement of the trees when needed. We offer the following comments:

1. Any additional traffic generated by this project will be temporary. Therefore, there will be no cumulative impact of this project on County roads and the project proponent will not be required to pay any Traffic Impact Mitigation Fee (TIMF).

2. To mitigate the impact of construction related trips on SR 118, west of the city limit, the construction/maintenance related trips on SR 118 in the Somis area should be restricted between the hours of 6:30 a.m. to 9:00 a.m. and 3:30 p.m. to 6:30 p.m.

Our review of this project is limited to the impacts this project may have on the County's Regional Road Network.

Please call me at 654-2080 if you have questions.

F:\TRANSPOR\LanDev\Non_County\06-024-1 MPK.doc

DUE FEBRUARY 21, 2007

# COUNTY OF VENTURA
## RESOURCE MANAGEMENT AGENCY
## PLANNING DIVISION
## MEMORANDUM

**DATE:** January 9, 2007

**TO:** Distribution List as Checked Below

TIMF DIST-4

**FROM:** Chuck Anthony, Phone - 654-3683, FAX - 654-2509

**SUBJECT:** Non-County ("Outside") Environmental Document Review Notice

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RMA Reference #: **06-024-1** Document Type: **Draft Environmental Impact Report**

Project: **California Pepper Trees Maintenance Plan, State Clearinghouse No. 2006051024**

Lead Agency: City of Moorpark

Lead Agency Contact: David A. Bobardt, Planning Manager Phone #: 805.517.6281

**Your written comments must be received by Noon Feb. 21, 2007**. Therefore, please make allowances for brown mail travel time. You can also telafax your comments to me at 654-2509, or email them to chuck.anthony@ventura.org.

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At the direction of the Board of Supervisors, any County of Ventura agency/department comments regarding "outside" (non-County) environmental documents shall be coordinated through the County Planning Director. If you wish to comment on the subject project, please do so in a letter or memo suitable for publication. ***On your response, please indicate the RMA reference number for this project.*** If your agency/department does not wish to comment on the subject project, then please indicate so below* and return this memo to me before the deadline date indicated above.

A limited number of full copies ( six (6) ) were received by the RMA. Therefore, you may review the full document at the RMA offices (please call me first) or you may request a full copy directly from the lead agency's contact person indicated above.

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***No comment;** sign _____ date _____ phone _____

Distribution

| | | | | | | | |
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| L | ☒ | 1620 | ~~PWA/Transportation, W. Britt~~ | | | | |

Attachment

d. 1/11/07 b. OCS

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**Location # 1740** PWA - Transportation

800 South Victoria Avenue, Ventura, CA 93009

# City of Moorpark

COMMUNITY DEVELOPMENT DEPARTMENT: PLANNING – BUILDING AND SAFETY – CODE COMPLIANCE
799 Moorpark Avenue, Moorpark, California 93021 (805) 517-6200 fax (805) 532-2540

**NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)**

**CALIFORNIA PEPPER TREES MAINTENANCE PLAN**

**STATE CLEARINGHOUSE NO. 2006051024**

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**NOTICE IS HEREBY GIVEN** that a Draft Environmental Impact Report (EIR) has been prepared for the City of Moorpark on behalf of the *California Pepper Trees Maintenance Plan*.

**PROJECT LOCATION:** High Street Public Right-of-Way, City of Moorpark, California (Ventura County)

**DESCRIPTION OF THE PROJECT:** The City of Moorpark is proposing a tree maintenance plan to address maintenance of the 49 California pepper trees on High Street. The proposed project extends approximately 0.2 miles on High Street, between Moorpark Avenue and the 400 block of High Street in the City of Moorpark. The primary goal of the maintenance plan is to provide a realistic framework by which the legacy of the original trees is sustained and appropriate care is delivered, while minimizing the risk to people and property due to the existence of old, senescent trees on the public right of way.

**ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS DISCUSSED IN THE DRAFT EIR:** The Draft EIR discusses the proposed project's impacts associated with Aesthetics, Biological Resources, and Cultural Resources. All significant effects of the proposed project would be reduced to a less than significant level with implementation of mitigation measures. The project site is not included on any list of hazardous waste sites prepared pursuant to Government Code Section 65962.5.

**AVAILABILITY OF DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT:** Copies of the Draft EIR may be reviewed at the Community Development Department, City Hall, 799 Moorpark Avenue, Moorpark, California, 93021 and the Moorpark Library, 699 Moorpark Avenue, Moorpark, California, 93021 during normal business hours. An electronic copy of the Draft Program EIR is available for viewing on the City's web site at www.ci.moorpark.ca.us and may also be purchased on a CD-ROM at City Hall. If you have any questions on this, please contact David A. Bobardt at (805) 517-6281.

**REVIEW PERIOD:** Written comments on the Draft EIR will be accepted by the City of Moorpark from **January 9, 2007** to **February 23, 2007**. Comments must be received by the Community Development Department no later than **5:00 P.M.** on **February 23, 2007** in order to be included in the Final EIR. Please address comments to:

David A. Bobardt, Planning Manager
Community Development Department
City of Moorpark
799 Moorpark Avenue
Moorpark CA 93021

**PUBLIC HEARING:** A public hearing will be held by the Planning Commission at a special meeting on February 13, 2007, on or after the hour of 7:00 P.M. in the Community Center at 799 Moorpark Avenue, Moorpark, California, 93021 in order to accept oral and written testimony on the Draft EIR. Any person wishing to comment on the Draft EIR may present oral or written comments to the Planning Commission at this hearing.

**Si usted tiene preguntas relacionadas con esta propuesta, comuniquese por favor con Mr. Joseph Fiss dentro del Departamento del Desarrollo de la Comunidad, al telefono (805) 517-6226.**

Barry K. Hogan, Community Development Director (Date)

000100

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cynthia Bryant
Director

February 22, 2007

RECEIVED

MAR 2 - 2007

CITY OF MOORPARK

David A. Bobardt
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

Subject: California Pepper Trees Maintenance Plan
SCH#: 2006051024

Dear David A. Bobardt:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on February 21, 2007, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

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# Document Details Report
# State Clearinghouse Data Base

**SCH#** 2006051024
**Project Title** California Pepper Trees Maintenance Plan
**Lead Agency** Moorpark, City of

**Type** EIR Draft EIR

**Description** The City of Moorpark proposes a maintenance plan to address the 49 California pepper trees on High Street. The maintenance plan analyzes the health and setting of each of the 49 pepper trees and proposes services and techniques for maintenance of the different categories of the California pepper trees on High Street. The primary goal of the maintenance plan is to provide a realistic framework by which the legacy of the original trees is sustained and appropriate care is delivered, while minimizing risk to people and property due to the existence of old, senescent trees on the public right-of-way.

## Lead Agency Contact

**Name** David A. Bobardt
**Agency** City of Moorpark
**Phone** (805) 517-6281 **Fax**
**email**
**Address** 799 Moorpark Avenue
**City** Moorpark **State** CA **Zip** 93021

## Project Location

**County** Ventura
**City** Moorpark
**Region**
**Cross Streets** High Street and Moorpark Avenue
**Parcel No.**
**Township** **Range** **Section** **Base**

## Proximity to:

**Highways** 23, 118
**Airports**
**Railways** UPPR / Metrolink
**Waterways** Arroyo Simi
**Schools** Chaparrral MS, Walnut Canyon ES, Flory ES, Community HS
**Land Use** Public Right of Way / Commercial Old Town / Downtown Specific Plan

**Project Issues** Aesthetic/Visual; Archaeologic-Historic; Biological Resources; Cumulative Effects

**Reviewing Agencies** Resources Agency; Regional Water Quality Control Board, Region 3; Department of Parks and Recreation; Native American Heritage Commission; Public Utilities Commission; Office of Historic Preservation; Department of Health Services; Department of Forestry and Fire Protection; Department of Fish and Game, Region 5; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 7

**Date Received** 01/08/2007 **Start of Review** 01/08/2007 **End of Review** 02/21/2007

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Note: Blanks in data fields result from insufficient information provided by lead agency.

# RESPONSES TO COMMENTS

February 8, 2007 Letter from Nazir Lalani, Deputy Director of the County of Ventura Public Works Agency Transportation Department – Traffic, Advance Planning & Permits Division

1. The City concurs with the comment that the project would have no cumulative impact on County Roads, as routine tree maintenance involving the use of tree pruning trucks would be limited to one or two times per year for approximately three days each time. It should be noted that routine maintenance has been performed on the trees for many years and is part of the baseline conditions. Implementation of the maintenance plan would merely provide a framework to provide appropriate care to the trees for the long-term preservation of the grove; traffic increases are not expected as a result of implementation of the plan.
2. As noted above, implementation of the maintenance plan is not expected to increase tree maintenance truck traffic above existing levels, since routine maintenance is part of the baseline conditions. Pruned materials are currently chipped on site and distributed within the City limits. This would continue under implementation of the maintenance plan. Therefore, mitigation to restrict maintenance-related trips from using State Route 118 in the Somis area during morning and afternoon peak traffic periods is not needed.

February 22, 2007 Letter from Terry Roberts, Director, State Clearinghouse

This letter indicates that no state agencies submitted comments to the State Clearinghouse by February 21, 2007. No response is needed.

RESOLUTION NO. 2007-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT, MAKING FINDINGS FOR SIGNIFICANT EFFECTS, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING THE CALIFORNIA PEPPER TREES MAINTENANCE PLAN

WHEREAS, the California Environmental Quality Act (CEQA) mandates that a lead agency, prior to approving a project for which an Environmental Impact Report (EIR) has been prepared, certify that 1) the Final EIR has been completed in compliance with CEQA; 2) the Final EIR has been presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the Final EIR; and 3) the Final EIR reflects the lead agency's independent judgment and analysis; and

WHEREAS, the California Environmental Quality Act also requires that the lead agency make written findings for each of the significant environmental effects identified in the EIR and adopt a Mitigation Monitoring and Reporting Program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects; and

WHEREAS, the City Council of the City of Moorpark is the decision-making body of the lead agency under CEQA for the California Pepper Trees Maintenance Plan project, attached as Exhibit A; and

WHEREAS, an Initial Study for this project, completed by the City on May 1, 2006, indicated the need to prepare an EIR, and a Notice of Preparation of an EIR was distributed; and

WHEREAS, a Draft EIR was prepared for this project and was circulated for written comments from January 9, 2007 to February 23, 2007; and

WHEREAS, the Planning Commission held a public hearing to accept oral comments on the Draft EIR on February 13, 2007; and

WHEREAS, a draft response to the written comment received on the Draft EIR was prepared with a copy sent to the commentator on April 17, 2007; and

WHEREAS, the Final EIR for the California Pepper Trees Maintenance Plan project (SCH No. 2006051024) consists of the Draft EIR, comments and recommendations received on the Draft EIR, a list of persons, organizations, and public

agencies commenting on the Draft EIR, and responses of the City of Moorpark to significant environmental points raised in the review and consultation process; and

WHEREAS, public notices of preparation, completion, and responses to comments of the Draft EIR were prepared, noticed, and distributed in compliance with CEQA; and

WHEREAS, the City Council wishes to approve the California Pepper Trees Maintenance Plan project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. CERTIFICATION OF FINAL EIR – The City Council, as lead agency under CEQA for the California Pepper Trees Maintenance Plan project, certifies that:

a. The Final EIR for the project (SCH No. 2006051024), incorporated herein by reference and on file with the Parks, Recreation, and Community Services Department, has been completed in compliance with CEQA, the CEQA Guidelines, and the City CEQA Procedures.

b. The Final EIR was presented to the City Council of the City of Moorpark, and the City Council has reviewed and considered the information contained in the Final EIR prior to approving the project.

c. The Final EIR reflects the independent judgment and analysis of the City of Moorpark.

SECTION 2. CEQA FINDINGS –

a. The Findings required by Section 21081 of CEQA and Section 15091 of the CEQA Guidelines, attached as Exhibit B, are hereby adopted by the City Council.

b. These Findings are based on and supported by substantial evidence in the record as required by Section 21081.5 of CEQA and Section 15091 of the CEQA Guidelines.

SECTION 3. MITIGATION MONITORING AND REPORTING PROGRAM –

a. The Mitigation Monitoring and Reporting Program, required by Section 21081.6 of CEQA and 15091 of the CEQA Guidelines, and included in the Findings (Exhibit B), is hereby adopted by the City Council.

b. The City Council hereby designates the Office of the City Clerk as the custodian of the records constituting the record of proceedings upon which its decision has been based.

SECTION 4. PROJECT APPROVAL – The City Council hereby approves the California Pepper Trees Maintenance Plan, attached hereto as Exhibit A.

SECTION 5. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 2nd day of May, 2007.

_____
Patrick Hunter, Mayor

ATTEST:

_____
Deborah S. Traffenstedt, City Clerk

Attachments:
Exhibit A – California Pepper Trees Maintenance Plan
Exhibit B – CEQA Findings of Fact

## EXHIBIT A

# CALIFORNIA PEPPER TREES MAINTENANCE PLAN

(Provided under Separate Cover for May 2, 2007 Agenda and on File with the Parks, Recreation, and Community Services Department. The Final Resolution will include a copy of the plan)

**EXHIBIT B**

# CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS OF FACT

# FINAL ENVIRONMENTAL IMPACT REPORT

# CALIFORNIA PEPPER TREES MAINTENANCE PLAN

SCH No. 2006051024

City of Moorpark
Parks, Recreation, and Community Services Department
799 Moorpark Avenue
Moorpark, California 93021

Adopted by City Council Resolution No. 2007-_____
May 2, 2007

## CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR)

### A. LEGAL REQUIREMENTS

The California Environmental Quality Act Guidelines (CEQA Guidelines), Section 15090(a), require that:

"Prior to approving a project the lead agency shall certify that:

(1) The final EIR has been completed in compliance with CEQA;

(2) The final EIR was presented to the decisionmaking body of the lead agency and that the decisionmaking body reviewed and considered the information contained in the final EIR prior to approving the project; and

(3) The final EIR reflects the lead agency's independent judgment and analysis."

### B. ENVIRONMENTAL REVIEW PROCESS

***Draft Environmental Impact Report*** – Due to potential environmental impacts identified in an Initial Study prepared for the California Pepper Trees Maintenance Plan (Project), the City of Moorpark prepared a Draft EIR for this project. The Draft EIR, State Clearinghouse Number 2006051024, identified certain potentially significant effects that could occur as a result of the implementation of the proposed Project and, in response thereto, identified mitigation measures that would reduce or otherwise eliminate said significant impacts. Consistent with CEQA and the CEQA Guidelines, the Draft EIR also identified and analyzed alternatives to the Proposed Project. The Draft EIR was circulated for public review and comment beginning on January 9, 2007 and ending on February 23, 2007. In addition, an opportunity to provide oral comments on the Draft EIR was provided at a public hearing of the Planning Commission on February 13, 2007. The City received one (1) comment letter concerning the Draft EIR during the public review period, and no speakers appeared before the Planning Commission at the public hearing.

***Final Environmental Impact Report*** – A Final EIR was prepared, consisting of the Draft EIR, a list of persons, organizations, and public agencies commenting on the Draft EIR, comments and recommendations received on the Draft EIR, and the City's responses to the comments received. The one commentator was sent a copy of the written proposed response at least fourteen (14) days prior to the May 2, 2007 City Council consideration of certification of the Final EIR. The Final EIR was prepared in accordance with CEQA, the CEQA Guidelines and the City's environmental procedures.

## C. CERTIFICATION FINDINGS

The City Council, after having been presented with, reviewed, and considered the information contained in the Final EIR hereby determines that the Final EIR is complete and adequate and has been prepared in accordance with CEQA and the CEQA Guidelines, and reflects the independent judgment and analysis of the City of Moorpark as lead agency. The City Council further finds and determines that the Final EIR provides adequate, good faith, and reasoned responses to all comments raising significant environmental issues. The City Council further finds and determines that the Final EIR is adequate and complete for purposes of adoption of the approvals of the Project accompanying these Findings and for making the Findings set forth below.

## FINDINGS ON SIGNIFICANT EFFECTS

### A. LEGAL REQUIREMENTS

The California Environmental Quality Act (CEQA), in Section 21081 of the Public Resources Code, provides that:

"No public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project, which mitigate or avoid the significant effects on the environment.

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report."

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment."

CEQA Section 21081.5 provides that:

"In making the findings required by paragraph (3) of subdivision (a) of Section 21081, the public agency shall base its findings on substantial evidence in the record."

CEQA Section 21081.6 (a) provides that:

"When making the findings required by paragraph 1 of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The

reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

The Findings set forth herein are the findings of the City Council adopted in accordance with the provisions of CEQA and the CEQA Guidelines in support of this City Council's decision to approve this project.

## B. RECORD OF PROCEEDINGS

The California Pepper Trees Maintenance Plan record of proceedings is specified below. The custodian of the record is the Office of the City Clerk, City of Moorpark, 799 Moorpark Avenue, Moorpark, California 93021. The Office of the City Clerk shall maintain the original City Council resolution along with all other records as listed below for the legal retention period. The contact person for the City Clerk is Deborah S. Traffenstedt, telephone (805) 517-6213, or dtraffenstedt@ci.moorpark.ca.us. The record includes, but is not limited to, the following:

(1) The Final EIR for California Pepper Trees Maintenance Plan (SCH No. 2006051024), and all documents cited, incorporated by reference or relied on in the Final EIR;

(2) The California Pepper Trees Maintenance Plan;

(3) All staff reports, technical studies, maps, letters, and other Project documents, including all attachments, related documents, and all documents cited, incorporated by reference or relied on in those materials, relating to the California Pepper Trees Maintenance Plan and the Final EIR;

(4) Copies of any minutes and transcripts of all public meetings and hearings held by the City's Planning Commission and City Council relating to the California Pepper Trees Maintenance Plan and Final EIR. A Public Hearing on the Draft EIR was held by the Planning Commission on February 13, 2007. The City Council considered the Final EIR and Maintenance Plan on May 2, 2007.

(5) All notices issued by the City to comply with CEQA, the state CEQA Guidelines, or any other law governing the processing and approval of the Project or the Final EIR;

(6) Matters of common knowledge to the City, which include, but are not limited to, the City's General Plan and all applicable municipal code provisions;

(7) The decision Resolution made by the City Council, relating to the California Pepper Trees Maintenance Plan and Final EIR;

(8) Any other written materials relevant to the City's compliance with CEQA, and its decision on the merits of the California Pepper Trees Maintenance Plan and Final EIR, including documents that have been released for public review, and copies of reports, studies or other documents relied on in all environmental documentation prepared for the Maintenance Plan and either made available to the public during the public review period, or included in the City's files on the Maintenance Plan.

Having considered the foregoing information, the City Council hereby makes findings pursuant to CEQA, Section 21081 of the Public Resources Code, and the CEQA Guidelines, Sections 15091 and 15092.

## C. SIGNIFICANT IMPACTS

***Summary*** – This section sets forth the City's findings with respect to each of the significant impacts, the facts in support of those findings, and those changes and alterations that have been made to the Project to reduce or eliminate potentially significant effects to less than significant levels. The City Council finds that with incorporation of the mitigation measures identified below and incorporated in the Mitigation Monitoring and Reporting Program, the project will not have a significant effect on the environment.

***Thresholds of Significance*** – The City Council finds that the determination of the thresholds of significance is a judgment decision within the discretion of the City; the thresholds of significance used in the Final EIR are supported by substantial evidence in the record, including the expert opinion of the Final EIR preparers and City staff; and the thresholds of significance used in the Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

***Incorporation of Final EIR*** – These Findings provide a summary description of each impact, describe the applicable mitigation identified in the Final EIR, and state the City Council's findings on the significance of each impact after mitigation. A full explanation of these environmental findings and conclusions can be found in the Final EIR. These Findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the determinations regarding the Project's impacts and mitigation to address those impacts. In making these Findings, the City ratifies, adopts, and incorporates in these Findings, the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures.

***Aesthetics***

Significant Impact Unless Mitigated: Impact 4.1.1 – Alteration of Visual Character or Quality of the Site and its Surroundings

Through implementation of the California Pepper Tree Maintenance Plan, the existing character of the pepper trees will be altered through pruning and other maintenance activities.

*Finding*

Consistent with CEQA Section 21081(a)(1), changes or alterations have been required in, or incorporated into, the Project, which mitigate or avoid the significant environmental effects on the environment as identified in the Final EIR.

*Facts in Support of Finding*

The significant effect has been avoided or mitigated to a level that is less than significant by adoption of the following mitigation measures as identified in the Final EIR.

*Mitigation Measures*

4.1.1.a All pruning and maintenance applied to the California pepper trees, as described in the California Pepper Trees Maintenance Plan, shall be done under the supervision of a certified arborist.

4.1.1b All maintenance tasks, procedures, and triggers shall be carried out accordingly as described within the California Pepper Trees Maintenance Plan.

Significant Impact Unless Mitigated: Impact 4.1.2 – Alteration of Scenic Vistas

Through implementation of the California Pepper Tree Maintenance Plan, scenic vistas from adjoining areas will be altered through the reduction of foliage.

*Finding*

Consistent with CEQA Section 21081(a)(1), changes or alterations have been required in, or incorporated into, the Project, which mitigate or avoid the significant environmental effects on the environment as identified in the Final EIR.

*Facts in Support of Finding*

The significant effect has been avoided or mitigated to a level that is less than significant by adoption of the following mitigation measures as identified in the Final EIR.

*Mitigation Measures*

4.1.1.a All pruning and maintenance applied to the California pepper trees, as described in the California Pepper Trees Maintenance Plan, shall be done under the supervision of a certified arborist.

4.1.1b All maintenance tasks, procedures, and triggers shall be carried out accordingly as described within the California Pepper Trees Maintenance Plan.

Significant Impact Unless Mitigated: Impact 4.1.3 – Alteration of Scenic Resources

Through pruning and maintenance activities under the California Pepper Trees Maintenance Plan, the project may substantially alter scenic resources in that the California pepper trees create a positive image for the community, preserve the historical significance of the community and promote community identity.

*Finding*

Consistent with CEQA Section 21081(a)(1), changes or alterations have been required in, or incorporated into, the Project, which mitigate or avoid the significant environmental effects on the environment as identified in the Final EIR.

*Facts in Support of Finding*

The significant effect has been avoided or mitigated to a level that is less than significant by adoption of the following mitigation measures as identified in the Final EIR.

*Mitigation Measures*

4.1.1.a All pruning and maintenance applied to the California pepper trees, as described in the California Pepper Trees Maintenance Plan, shall be done under the supervision of a certified arborist.

4.1.1b All maintenance tasks, procedures, and triggers shall be carried out accordingly as described within the California Pepper Trees Maintenance Plan.

***Biological Resources***

Significant Impact Unless Mitigated: Impact 4.2.1 – Conflict with Local Policies Protecting Biological Resources

The California pepper trees, while not a native biological resource, are collectively significant as an identified historical biological resource due to the grove's original planting by Robert Poindexter, a city founder, in 1901. The California Pepper Trees Maintenance Plan implementation involves the removal of certain specified unhealthy trees and substantial pruning of others.

*Finding*

Consistent with CEQA Section 21081(a)(1), changes or alterations have been required in, or incorporated into, the Project, which mitigate or avoid the significant environmental effects on the environment as identified in the Final EIR.

*Facts in Support of Finding*

The significant effect has been avoided or mitigated to a level that is less than significant by adoption of the following mitigation measure as identified in the Final EIR.

*Mitigation Measure*

4.2.1.a Subsequent to the removal of any tree within the California pepper tree stand on High Street, the City-designated contractor responsible for tree maintenance shall replace the removed specimen in kind with a California pepper tree (Schinus molle) as called for in the maintenance plan.

Significant Impact Unless Mitigated: Impact 4.2.2 – Disturbance of Active Nests

The project site has the potential to support both raptor and songbird nests due to the presence of the trees. Maintenance activities may result in the disturbance of nesting birds, a violation of the Federal Migratory Bird Treaty Act (MBTA).

*Finding*

Consistent with CEQA Section 21081(a)(1), changes or alterations have been required in, or incorporated into, the Project, which mitigate or avoid the significant environmental effects on the environment as identified in the Final EIR.

*Facts in Support of Finding*

The significant effect has been avoided or mitigated to a level that is less than significant by adoption of the following mitigation measure as identified in the Final EIR.

*Mitigation Measure*

4.2.2.a Protective measures shall be required to ensure compliance with the MBTA and California Fish and Game Code Sections 3503, 3503.5, and 3800. Prior to tree maintenance activities, a qualified biologist shall conduct a nesting survey consisting of two (2) surveys conducted on separate days, within 72 hours immediately preceding tree maintenance activities, e.g., trimming branches or tree removal.

4.2.2.b If pre-maintenance nesting surveys result in the location of active nests, no tree maintenance procedures shall take place in the tree with the active nest until such time the young have fledged and become independent of the nest. A qualified biologist shall determine if a buffer area should be established around the tree with the active nest.

***Cultural Resources***

Significant Impact Unless Mitigated: Impact 4.3.1 – Alteration of Locally Recognized Historical Resource

The stand of California pepper trees on High Street have been recognized as a Historic Landmark by the County of Ventura prior to Moorpark's incorporation. Through implementation of the California Pepper Tree Maintenance Plan, the pepper trees will be pruned and some will be removed.

*Finding*

Consistent with CEQA Section 21081(a)(1), changes or alterations have been required in, or incorporated into, the Project, which mitigate or avoid the significant environmental effects on the environment as identified in the Final EIR.

*Facts in Support of Finding*

The significant effect has been avoided or mitigated to a level that is less than significant by adoption of the following mitigation measures as identified in the Final EIR.

*Mitigation Measure*

4.3.1.a Subsequent to the removal of any tree within the California pepper tree stand on High Street, the City-designated contractor responsible for

tree maintenance shall replace the removed specimen in kind with a California pepper tree (Schinus molle) as called for in the maintenance plan.

## D. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

The City Council adopts the Mitigation Measures identified in these Findings as comprehensively set forth in the following Mitigation Monitoring and Reporting Program to reduce or avoid the significant impacts of the Project.

***Mitigation Measure 4.1.1.a***

All pruning and maintenance applied to the California pepper trees, as described in the California Pepper Trees Maintenance Plan, shall be done under the supervision of a certified arborist.

| | |
|---|---|
| Monitoring/Reporting Method | 1. Incorporation of measure into specifications for maintenance contract<br>2. Field observation of maintenance |
| Responsibility | Director of Parks, Recreation, and Community Services |
| Timing | 1. Prior to approval of maintenance contract<br>2. During maintenance activities |

***Mitigation Measure 4.1.1.b***

All maintenance tasks, procedures, and triggers shall be carried out accordingly as described within the California Pepper Trees Maintenance Plan.

| | |
|---|---|
| Monitoring/Reporting Method | 1. Incorporation of measure into specifications for maintenance contract<br>2. Field observation of maintenance |
| Responsibility | Director of Parks, Recreation, and Community Services |
| Timing | 1. Prior to approval of maintenance contract<br>2. During maintenance activities |

***Mitigation Measures 4.2.1.a and 4.3.1.a***

Subsequent to the removal of any tree within the California pepper tree stand on High Street, the City-designated contractor responsible for tree maintenance shall replace the removed specimen in kind with a California pepper tree (Schinus molle) as called for in the maintenance plan.

| | |
|---|---|
| Monitoring/Reporting Method | 1. Incorporation of measure into specifications for maintenance contract<br>2. Field observation to verify replacement tree planted |
| Responsibility | Director of Parks, Recreation, and Community Services |
| Timing | 1. Prior to approval of maintenance contract<br>2. 60 days after tree removal |

***Mitigation Measure 4.2.2.a***

Protective measures shall be required to ensure compliance with the MBTA and California Fish and Game Code Sections 3503, 3503.5, and 3800. Prior to tree maintenance activities, a qualified biologist shall conduct a nesting survey consisting of two (2) surveys conducted on separate days, within 72 hours immediately preceding tree maintenance activities, e.g., trimming branches or tree removal.

| | |
|---|---|
| Monitoring/Reporting Method | 1. Incorporation of measure into specifications for maintenance contract<br>2. Review of Biologist's survey report<br>3. Field observation of maintenance |
| Responsibility | Director of Parks, Recreation, and Community Services |
| Timing | 1. Prior to approval of maintenance contract<br>2. Prior to initiation of maintenance activities<br>3. During maintenance activities |

***Mitigation Measure 4.2.2.b***

If pre-maintenance nesting surveys result in the location of active nests, no tree maintenance procedures shall take place in the tree with the active nest until such time the young have fledged and become independent of the nest. A qualified biologist shall determine if a buffer area should be established around the tree with the active nest.

| | |
|---|---|
| Monitoring/Reporting Method | 1. Incorporation of measure into specifications for maintenance contract<br>2. Review of Biologist's survey report<br>3. Field observation of maintenance |
| Responsibility | Director of Parks, Recreation, and Community Services |
| Timing | 1. Prior to approval of maintenance contract<br>2. Prior to initiation of maintenance activities<br>3. During maintenance activities |

- END -