

Exhibit D

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Oleksy Residence
363 Calle De Los Agrinemsors
Tree Resource Assessment

Prepared for:

John and Kristen Oleksy

Prepared by:

Frank Ono
Urban Forester
Member Society of American Foresters #48004
ISA Certified Arborist #536
1213 Miles Avenue
Pacific Grove, CA 93950

October 9, 2017

Owner:

John and Kristen Oleksy
363 Calle De Los Agrinemsors
Carmel Valley, CA

Architect:

Mr. Terry Latasa, Architect
930 Harrison Street
Monterey, CA 93940

Forester and Arborist

Frank Ono, Member SAF #48004, ISA Certified Arborist #536
F.O. Consulting
1213 Miles Ave
Pacific Grove, CA 93950

SUMMARY

This report is prepared to address the unpermitted development (retaining walls and grading) occurring on this site which has resulted in a code compliance case (CE16CE00284). The report is also prepared to address future proposed development.

This tree resource assessment/arborist report has been prepared to identify and address the potential affects that the project may have to the existing tree resources on site as well as a list of recommendations regarding protection of tree resources on the project. In viewing the site, it appears no trees observed were damaged during the construction and that efforts to remove the recently installed retaining walls and patio would require considerable excavation. This will most likely be more damaging to adjacent established trees. Additionally, proposed construction on this site does not appear to require tree removal or further excavation near oak trees.

INTRODUCTION

This tree assessment/arborist report is prepared for John and Kristen Oleksy, the owners of the property located at 363 Calle De Los Agrinemsors, Carmel Valley by Frank Ono, Urban Forester and Certified Arborist (member Society of American Foresters #48004 and International Society of Arboriculture Certified Arborist #536) due to the proposed construction. The Carmel Valley Land Use Plan and Monterey County Zoning Ordinance Title 21 identify native Coast live oak and the Carmel Valley Master Plan identifies Oaks as well as Redwood trees as species requiring protection and special consideration for management.

ASSIGNMENT/SCOPE OF PROJECT

To ensure protection of the tree resources on site, the property owner, John and Kristen Oleksy, have requested an assessment of the trees in proximity to proposed development areas. The findings of the assessment are to be documented in an arborist report to work in conjunction with other conditions for approval of the building permit application. To accomplish this assignment, the following tasks have been completed;

- Evaluate health, structure and preservation suitability for each tree within or adjacent (15 feet or less) to proposed development of trees greater than or equal to six diameter inches at 24 inches above grade.
- Review proposed building site plans as provided by Mr. Terry Latasa, Architect.
- Make recommendations for alternative methods and preconstruction treatments to facilitate tree retention.
- Create preservation specifications, as it relates to a Tree Location/Preservation Map.
- Determine the quantity of trees affected by construction that meet “Landmark” criteria as defined by the County of Monterey, Title 21 Monterey County Zoning Ordinance; as well as mitigation requirements for those to be affected.
- Document findings in the form of a report as required by the County of Monterey Planning Department.

LIMITATIONS

This assignment is limited to the review of site plans submitted to me dated September 7, 2017 by Mr. Terry Latasa to assess affects from previous and potential construction to trees within or adjacent to construction activities. The assessment has been made of these plans specifically and site visits; no other plans were reviewed. Only minor grading and erosion details are discussed in this report as it relates to tree health. It is not the intent of this report to be a monetary valuation of the trees or provide risk assessment for any tree on this parcel, as any tree can fail at any time. No clinical diagnosis was performed on any pest or pathogen that may or may not be present. In addition to an inspection of the property, F.O. Consulting relied on information provided in the preparation of this report (such as, surveys, property boundaries, and property ownership) and must reasonably rely on the accuracy of the information provided. F.O. Consulting shall not be responsible for another's means, methods, techniques, schedules, sequence or' procedures, or for contractor safety or any other related programs; or for another's failure to complete the work in accordance with the plans and specifications.

PURPOSE AND GOAL

This tree resource assessment/arborist report is prepared for this parcel due to proposed construction activities located at 363 Calle De Los Agrinemsors, Carmel Valley CA. The purpose of the assessment is to determine if any of the trees have been or will be affected by the proposed project. Oak trees and Redwood trees are considered protected trees as defined by the County of Monterey, Title 21 Monterey County Zoning Ordinance and the Carmel Valley Master Plan unless otherwise proven to be an introduced or planted species.

The goal of this report is to protect and maintain the Carmel Valley forested resources through the adherence of development standards, which allow the protection, and maintenance of its forest resources. Furthermore it is the intended goal of this report to aid in planning to offset any potential effects of proposed development on the property while encouraging forest stability and sustainability, perpetuating the forested character of the property and the immediate vicinity.

SITE DESCRIPTION

- 1) Assessor's Parcel Number: 189-532-010-000.
- 2) Location: 363 Calle De Los Agrinemsors, Carmel Valley CA.
- 3) Parcel size: .96 Acres.
- 4) Existing Land Use: The parcel is zoned for residential use (LDR/2.5-D-S-RAZ).
- 5) Slope: The parcel ranges from mild to steep sloped. Slopes range from 5% to over 25%.
- 6) Soils: The parcel is located on soils classified by the Monterey County Soils report as Santa Lucia shaly clay loam, 30 to 50 percent slopes. The report states that this is a steep soil on uplands with a profile described as representative of the series. Slopes are mostly 45 percent. Runoff is rapid, and the erosion hazard is high. Roots can generally penetrate to a depth of 20 to 40 inches, but some roots extend into the fractured shale. The available water capacity ranges from 2 to 5.5 inches, depending on the amount of shale fragments in the soil.
- 7) Vegetation: The vegetation on site is composed primarily of mostly Oak and a couple of Monterey pines. The site is developed with a few ornamental plants; outlying areas have poison oak, California bay laurel, Toyon, coffee berry, California buckeye and French broom.
- 8) Forest Condition and Health: The stand of trees and health are evaluated with the use of the residual trees combined with surrounding adjacent trees as a complete stand. The site is a developed site within a stand of oaks with a fragmented canopy. The stand is in fair condition with presence of oak worm defoliation. There is some stress decline (less than significant) to oaks from water mold fungal activity.

BACKGROUND

Unpermitted development (retaining walls and grading) occurred on this site resulting in a code compliance case (CE16CE00284). My understanding is that two patios with retaining walls and a storage shed were installed. I have been requested to view these areas and see if landscape restoration is necessary for the health of the trees and surrounding oak woodland. I have also been requested to prepare a report that addresses proposed future development. The assessment focuses on incorporation of the existing location of site improvements coupled with consideration of newly proposed construction. The assessment considers the general goals of site improvement desired of the landowner that includes preserving trees to the greatest extent feasible, maintaining the view shed and general aesthetic quality of the area while complying with the Monterey County Codes governing this area.

The study of individual trees determined treatments necessary to complete the project and meet the goals of the landowner. Trees within and immediately adjacent proposed development area were located, measured, inspected, flagged and recorded. The assessment of each tree concluded with an opinion of whether the tree should be removed, or preserved, based on the extent and effect of construction activity to the short and long-term health of the tree. All meetings and field review were focused on the area immediately surrounding the proposed development.

OBSERVATIONS/DISCUSSION

The following list includes observations made while on site, and summarizes details discussed during this stage of the planning process.

- The site is developed with an existing structure and graded parking area. It is my understanding existing trees are to remain with no proposed removal.
- The site is an urbanized area populated with oaks with a few scattered pines.
- Two patios with retaining walls have been constructed as well as a detached storage shed near several oaks trees. One of the oak trees #343 is located between the two patios. It is my understanding that no significant roots were pruned off this tree during the installation of the patios and structure. In viewing the trees it does not appear that root damage was done to the tree.
- The project also proposes to build a new detached garage and retaining wall. A large oak (#327) is located directly adjacent the driveway and proposed retaining wall where excavation may encroach into the trees critical root zone. Close inspection of the base and roots of the tree shows construction effects would be minimal and due to the soil type not many roots will be encountered. That tree is expected to satisfactorily survive construction provided work near the tree is monitored and the tree protected from further encroachment other than necessary to complete the driveway and retaining wall near the tree.
- The garage will be located below trees #328, #329, #330 and #331 which appear to be in poor condition due to fungal activity. These trees are not proposed for removal but are to be retained, because of their declining condition these may need to be monitored and addressed in a separate hazard tree assessment in the future.
- A proposed deck off the main structure will be constructed adjacent tree #342 but should not affect the tree, provided the deck utilizes a post and pier foundation which lessens impacts on tree roots.
- Remaining trees appear all to be in fair or better condition and are far enough from proposed construction they should not be affected negatively by future construction.

CONCLUSION/PROJECT ASSESSMENT

The proposal to construct additions to a single-family residence, enhance the driveway and build a new garage is planned to maintain the existing oak forested environment, allowing the forest to continue to exist and regenerate over time. The work observed which was previously performed does not appear to have a negative effect to the existing trees (see attached pictures). No damage occurred to trees observed during the construction and efforts to remove the recently installed retaining walls and patio would require considerable excavation and most likely create damage to adjacent established trees. Removal of the patios is not recommended since removal of the hardscape installed would negatively affect the trees through soil disturbance and root removal.

The additional construction for this site proposed is not expected to require tree removal for construction. All trees are expected to survive if properly protected and monitored. The remainder of the property contains tree cover, which will remain undisturbed. No watercourses are near the planned construction.

Short Term Affects

Site disturbance will occur during building construction. Short term site affects are confined to the construction envelope and immediate surroundings some trees may be trimmed and root systems reduced. The pruning of tree crowns above 30% and reduction of root area may have a short term effects on those trees treated, including a reduction of growth and potential limb dieback.

Long Term Affects

No significant long term affects to the forest ecosystem are anticipated as this is already a developed residential site. The project as proposed is not likely to significantly reduce the availability of wildlife habitat over the long term. Whenever construction activities take place near trees, there is the potential for those trees to experience decline in the long term as well. The greatest attempt has been made to identify for removal those trees likely to experience decline.

RECOMMENDATIONS

Tree Pruning

It is to be understood that the pruning of retained trees may be expected for this site, especially near building construction areas. Pruning will include trees with deadwood, minor structural defects or disease that must be compensated, and possibly vehicle or pedestrian clearance. Trees should be monitored on occasion for health and vigor after pruning. Should the health and vigor of any tree decline it will be treated as appropriately recommended by a certified arborist or qualified forester. Remedial pruning should occur prior to construction. Following construction, any above ground tree pruning/trimming should be delayed until one year after completion of construction. Following construction, a qualified arborist should monitor trees adjacent to the improvements area and if any decline in health that is attributable to the construction is noted, additional trees should be planted on the site.

Tree Protection

Prior to the commencement of grading or construction activities:

- Trees located adjacent to construction areas shall be protected from damage by construction equipment by the use of temporary fencing and through wrapping of trunks with protective materials to insure the areas are not construction staging or stockpiled areas.
- Fencing shall consist of chain link, snowdrift, plastic mesh, hay bales, or field fence. Existing fencing may also be used.
- Fencing must not be attached to the tree. It shall be free standing or self-supporting so as not to damage trees. Fencing shall be rigidly supported and shall stand a minimum of height of four feet above grade.
- Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials must not be allowed adjacent to trees on the property especially within fenced areas.
- Fenced areas and the trunk protection materials must remain in place during the entire construction period until permission is obtained for removal.

During grading and excavation activities:

- All trenching, grading or any other digging or soil removal that is expected to encounter tree roots will be monitored by a qualified arborist or forester to ensure against drilling or cutting into or through major roots.
- The project arborist should be on site during excavation activities to direct any minor field adjustments that may be needed.
- Trenching for the retaining wall and driveway located adjacent to any tree will be done by hand where practical and any roots greater than 3-inches diameter should be bridged or pruned appropriately.
- Any roots that must be cut are to be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment.
- Any roots damaged during grading or excavation should be exposed to sound tissue and cut cleanly with a saw.

If at any time potentially significant roots are discovered:

- The arborist/forester will be authorized to halt excavation until appropriate mitigation measures are formulated and implemented.
- If significant roots are identified that must be removed that will destabilize or negatively affects the target trees negatively, the property owner will be notified immediately and a determination for removal will be assessed and made as required by law for treatment of the area that will not risk death decline or instability of the tree consistent with the implementation of appropriate construction design approaches to minimize affects, such as hand digging, bridging or tunneling under roots, etc..

Best Management Practices to Observe (BMP)

The following best management practices must be adhered to:

- A) Tree service Contractors will verify animal or bird nesting prior to tree work. If nesting activity of migratory birds are found, work must stop and a wildlife biologist consulted before commencing work (the typical bird nesting season ranges from February 22 to August 1).
- B) Do not deposit any fill around trees, which may compact soils and alter water and air relationships. Avoid depositing fill, parking equipment, or staging construction materials near existing trees. Covering and compacting soil around trees can alter water and air relationships with the roots. Fill placed within the drip line may encourage the development of oak root fungus (*Armillaria mellea*). As necessary, trees may be protected by boards, fencing or other materials to delineate protection zones.
- C) Pruning shall be conducted so as not to unnecessarily injure the tree. General-Principals of pruning include placing cuts immediately beyond the branch collar, making clean cuts by scoring the underside of the branch first, and for live oak, avoiding the period from February through May.
- D) Native live trees are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the drip line of oaks. Native, locally adapted, drought resistant species are the most compatible with this goal.
- E) Root cutting should occur outside of the springtime. Late June and July would likely be the best. Pruning of the live crown should not occur February through May.
- F) Tree material greater than 3 inches in diameter remaining on site more than one month that is not cut and split into firewood must be covered with thick clear plastic that is dug in securely around the pile to discourage infestation and dispersion of bark beetles.
- G) A mulch layer up to approximately 4 inches deep should be applied to the ground under selected trees following construction. Only 1 to 2 inches of mulch should be applied within 1 to 2 feet of the trunk, and under no circumstances should any soil or mulch be placed against the root crown (base) of trees. The best source of mulch would be from chipped material generated on site.
- H) If trees along near the development are visibly declining in vigor, a Professional Forester or Certified Arborist should be contacted to inspect the site to recommend a course of action.

Agreement by Landowner

The following standard conditions are made a part of all Monterey County Forest Management Plans:

A. Management Objectives

- 1. Minimize erosion in order to prevent soil loss and siltation.
- 2. Preserve natural habitat including native forest, understory vegetation and associated wildlife.
- 3. Prevent forest fire.
- 4. Preserve scenic forest canopy as located within the Critical View shed (any public viewing area).
- 5. Preserve landmark trees to the greatest extent possible as defined below.

B. Management Measures

1. Tree Removal: No tree will be removed without a Forest Management Plan or an Amended Forest Management Plan.
2. Application Requirements: Trees proposed for removal will be conspicuously marked by flagging or by paint. Proposed removal of native trees greater than six inches will be the minimum necessary for the proposed development. Removal not necessary for the proposed development will be limited to that required for the overall health and long term maintenance of the forest, as verified in this plan or in subsequent amendments to this plan.
3. Landmark Trees: All landmark trees will be protected from damage if not permitted to be removed as a diseased tree, which threatens to spread the disease to nearby healthy trees or as a dangerous tree, which presents an immediate danger to human life or structures. Landmark oaks are trees that are visually, historically, or botanically significant specimens or are greater than 24 inches or more in diameter at breast height (DBH), or more than 1,000 years old.
4. Dead Trees: Because of their great value for wildlife habitat (particularly as nesting sites for insect eating birds) large dead trees will normally be left in place. Smaller dead trees will normally be removed in order to reduce the fire hazard. Dead trees may be removed at the convenience of the owner.
5. Thinning: Trees less than six inches diameter breast height may be thinned to promote the growth of neighboring trees, without first developing a Forest Management Plan.
6. Protection of Trees: All trees other than those approved for removal shall be retained and maintained in good condition. Trimming, where not injurious to the health of the tree, may be performed wherever necessary in the judgment of the owner, particularly to reduce personal safety and fire hazards. Retained trees which are located close to the construction site shall be protected from inadvertent damage by construction equipment through wrapping of trunks with protective materials, bridging or tunneling under major roots where exposed in foundation or utility trenches and other measures appropriate and necessary to protect the well-being of the retained trees.
7. Fire prevention: In addition to any measures required by the local California Department of Forestry fire authorities, the owner will;
 - A) Maintain a spark arrester screen atop each chimney.
 - B) Maintain spark arresters on gasoline-powered equipment.
 - C) Establish a "greenbelt" by keeping vegetation in a green growing condition to a distance of at least 50 feet around the house.
 - D) Break up and clear away any dense accumulation of dead or dry underbrush or plant litter, especially near landmark trees and around the greenbelt.
8. Use of fire (for clearing, etc.): Open fires will be set or allowed on the parcel only as a forest management tool under the direction of the Department of Forestry authorities, pursuant to local fire ordinances and directives.

9. Clearing Methods: Brush and other undergrowth, if removed, will be cleared through methods, which will not materially disturb the ground surface. Hand grubbing, crushing and mowing will normally be the methods of choice

10. Irrigation: In order to avoid further depletion of groundwater resource, prevent root diseases and otherwise maintain favorable conditions for the native forest, the parcel will not be irrigated except within developed areas. Caution will be exercised to avoid over watering around trees.

11. Exotic Plants: Care will be taken to eradicate and to avoid introduction of the following pest species:

- A) Pampas grass
- B) Genista (Scotch broom, French broom)
- C) Eucalyptus (large types)

Amendments

The Monterey County Director of Planning may approve amendments to this plan, provided that such amendments are consistent with the provisions of the discretionary permit or building submittal. Amendments to this Forest Management Plan will be required for proposed tree removal not shown as part of this Plan, when the proposed removal fans within the description of a Forest Management Plan or Amendment to an existing Forest Management Plan.

Amended Forest Management Plan

A) An amended forest Management Plan shall be required when:

- 1. The Monterey County Director of Planning has previously approved a Forest Management Plan for the parcel.
- 2. The proposed tree removal as reviewed as part of a development has not been shown in the previously approved Forest management plan

B) At a minimum, the Amended Forest Management Plan shall consist of:

- 1. A plot showing the location, type and size of each tree proposed for removal, as well as the location and type of trees to be replanted,
- 2. A narrative describing reasons for the proposed removal, alternatives to minimize the amount and impacts of the proposed tree removal, tree replanting information and justification for removal of trees outside of the developed area if proposed.

Compliance

It is further understood that failure to comply with this Plan will be considered as failure to comply with the conditions of the Use Permit.

Transfer of Responsibility

This plan is intended to create a permanent forest management program for the site. It is understood, therefore, that in the event of a change of ownership, this plan shall be as binding on the new owner as it is on the present owner. As a permanent management program, this Plan will be conveyed to the future owner upon sale of the property.

Report Prepared By:



Frank Ono, SAF Forester #48004 and ISA Certified Arborist #536

October 9, 2017

Date

Recommendations Agreed to by landowner:

Landowner

Date

Forest Management Plan approved by:

Director of Planning

Date

TREE CHART

The trees listed in the following table have been tagged in the field and are rated Good, Fair, or Poor according to their health, vigor and structural condition. Excellent rated trees are specimen trees in the best structural health and condition with no flaws. Good rated trees may have some minor flaw but still in good condition and health. Fair rated trees are of lesser condition with potential limiting structural problems or health factors. Poor rated trees are lesser quality trees with numerous structural flaws or in poor health.

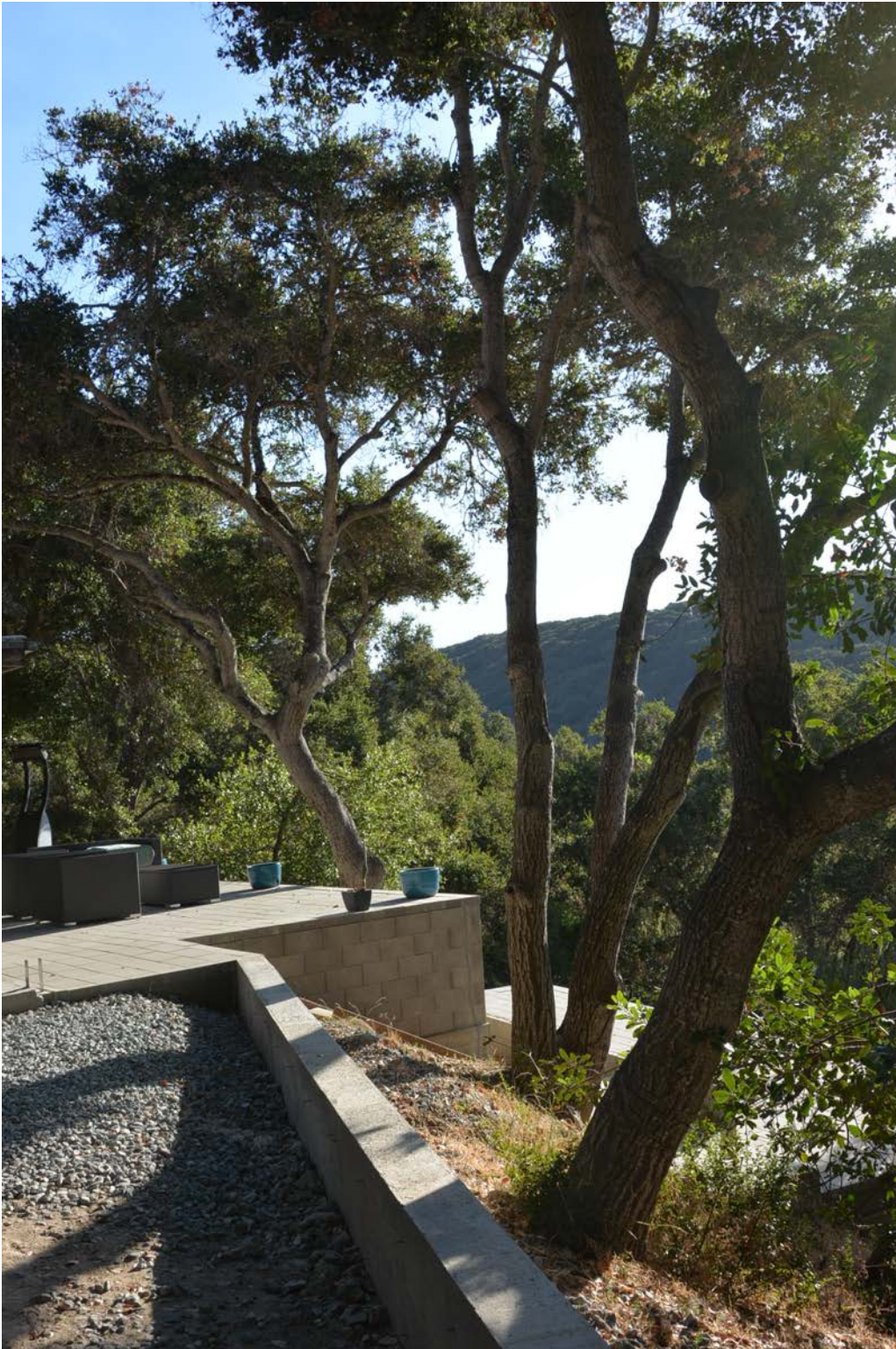
Trees rated dead are dead or near death.

ID#	Diameter"	Species	Condition	Comments
327	23	Coast live oak	Fair	
328	24	Coast live oak	Poor	Oak bark fungus
329	8	Coast live oak	Poor	Oak bark fungus
330	13	Coast live oak	Poor	Oak bark fungus
331	14,19	Coast live oak	Poor	Multiple dead limbs
332	9,9	Coast live oak	Fair	
333	12	Coast live oak	Fair	
334	20	Monterey pine	Fair	
335	7,10	Coast live oak	Fair	
336	10	Coast live oak	Fair	Suppressed
337	11,11	Coast live oak	Fair	
338	15	Coast live oak	Fair	
339	27	Coast live oak	Fair	Thinning crown
340	12	Coast live oak	Fair	
341	25	Coast live oak	Good	
342	14,18	Coast live oak	Fair	
343	17	Coast live oak	Fair	
344	12,12,13	Coast live oak	Fair	
345	8	Coast live oak	Poor	Suppressed
346	13	Coast live oak	Fair	
347	17	Coast live oak	Fair	
348	10,12,15	Coast live oak	Fair	
349	12	Coast live oak	Fair	Intermediate
350	15	Coast live oak	Fair	

PHOTOGRAPHS



Proposed garage area, these are trees #332 and 331 above the area



The driveway and patios near trees #344 and #345



Tree #343

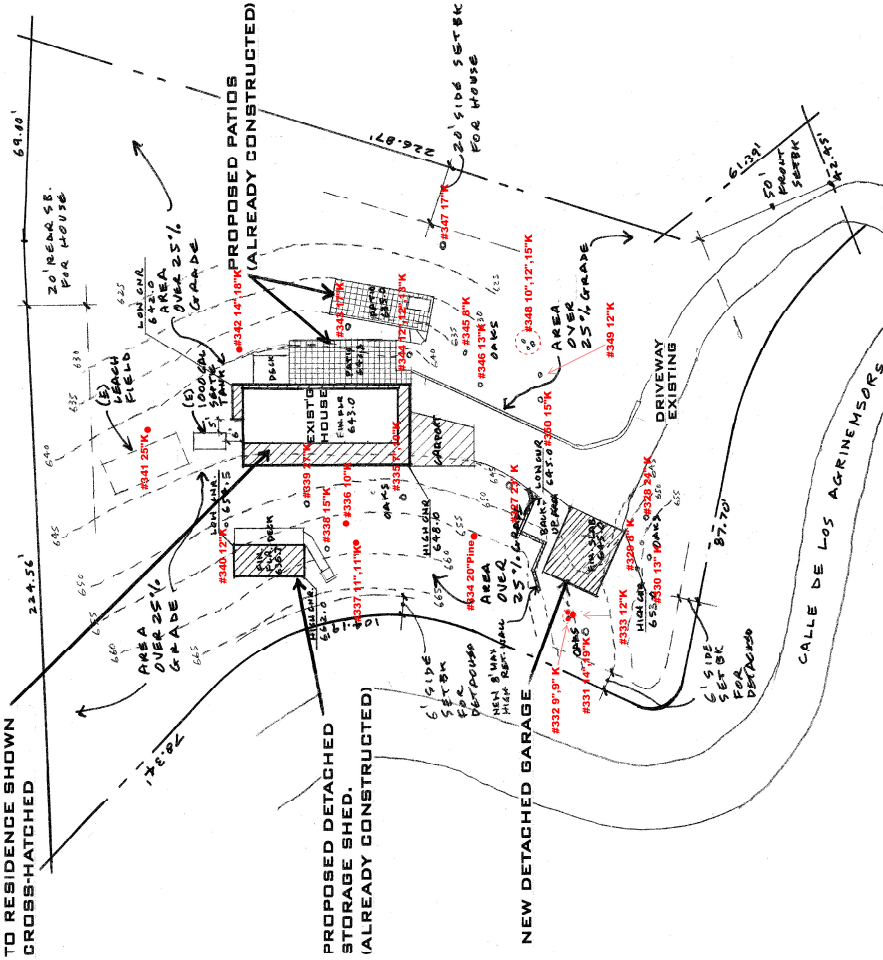


View of the studio/storage area from the driveway



Looking from the patio toward the driveway

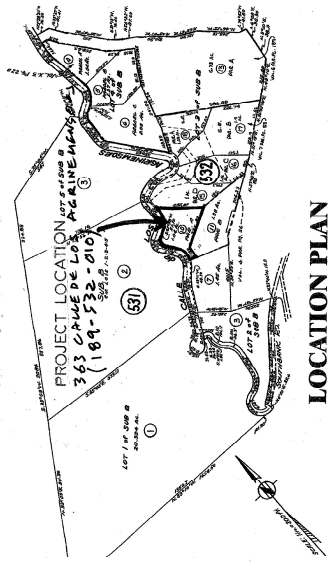
**PROPOSED ADDITIONS
TO RESIDENCE SHOWN
CROSS-HATCHED**



SITE PLAN

1"=20'

LOCATION PLAN



PLANNING INFORMATION

PROJECT DESCRIPTION:

DEMOLISH AND REBUILD AN EXISTING ONE-STORY RESIDENCE; NEW DETACHED STORAGE SHED AND DETACHED GARAGE. NEW PATIOS AND DECKS.

ZONING:

LDR2.5-D-S-RAZ

PROJECT ADDRESS:

363 CALLE DE LOS AGRIMENSORES
CARMEL VALLEY, CALIFORNIA

APN:

189-532-010

LOT SIZE:

41,960 SQ. FT.

OWNERS:

JOHN & KRISTIN OLESKY
363 CALLE DE LOS AGRIMENSORES
CARMEL VALLEY, CALIFORNIA 93924
(979) 201-9529

LEGAL DESCRIPTION:

MAP OF RINCHO LOS LAURELES,
COUNTY OF MONTREAY, CALIFORNIA
PARA IN VOL. 4 OF FARMS PG. 36

FLOOR AREAS:

EXISTING RESIDENCE: 936 SQ. FT.
NEW DETACHED STORAGE SHED: 240.
NEW TOTAL RESIDENCE: 1,271.

NEW DETACHED GARAGE:

535.
NEW TOTAL FLOOR AREA: 2,356. (5.6%)

LOT COVERAGE:

EXISTING LOT COVERAGE: 936 SQ. FT.
NEW COVERAGE (GARAGE & SHED): 765.

NEW CARPORT:

NEW PATIOS: 307.
NEW DETACHED SHED: 1,450.
NEW TOTAL LOT COVERAGE: 4,270. (10.2%)

NEW DECK AT HOUSE (12" ABOVE GRADE):

100.

TREE REMOVAL:

NONE

GRADING:

5 CUBIC YARDS

CONSTRUCTION TYPE:

V-N

OCCUPANCY:

R-3

APPLICABLE CODES:

2016 CBC/CMC/CPG, CEC
2016 CA ENERGY CODE

TERRY LATASA - ARCHITECT
930 HARRISON STREET, MONTEREY, CALIFORNIA
(831) 649-1012

JOHN & KRISTIN OLESKY
REPLACE EXISTING RESIDENCE
363 CALLE DE LOS AGRIMENSORES
CARMEL VALLEY, CALIFORNIA

9-7-17

1.