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THOMPSON

WILDLAND MANAGEMENT

Environmental Management & Conservation Services
International Society of Arboriculture Certified Arborist # WE-7468A
Department of Pesticide Regulation Qualified Applicator Lic. #QL50949 B
Environmental & Arborist Assessments, Protection, Restoration, Monitoring & Reporting
Wildland Fire Property Protection, Fuel Reduction & Vegetation Management
Invasive Weed Control, and Habitat Restoration & Management
Soil Erosion & Sedimentation Control
Resource Ecologist

January 28, 2018

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Monterey, CA. 93940

Violation Location: 26425 Laureles Grade, Monterey. CA 93940
A.P.N: 416-051-005-000
Zoning: RDR/B-8-VS
Case Number: 17CE00378

Subject: Tree removal impact assessment for property located at 26425 Laureles Grade

The purpose of this report is to address a citation issued by the *Monterey County Resource Management Agency* regarding violations that have occurred on the property located at 26425 Laureles Grade in Monterey (APN: 416-051-005). Violations identified by the County that are addressed in this report include non-permitted grading operations (including on slopes in excess of 25%), soil disturbance that increases the potential for erosion problems and sediment runoff, and the non-permitted removal and impacts to oak trees on the property. The objective of this particular report is to address the non-permitted removal of two mature Coast Live Oak (*Quercus agrifolia*) trees from the subject property, as well as provide mitigation recommendations and tree protection and preservation best management practices (BMP's).

Where possible, the characteristics and conditions described below are depicted in the accompanying photographs located at the end of the report (refer to *Figures 1-15*). Additionally, property features, characteristics and the approximate location of the subject trees that have been removed are provided in the corresponding Exhibits.

It should be noted that the property owner accepts full responsibility for non-permitted activities and is committed to correcting these violations that have been issued by the *Monterey County Resource Management Agency* (RMA). The property owner will promptly and diligently implement the appropriate site remediation and resource

protection best management practices (BMP's) that are necessary to satisfy County conditions and restore the impacted areas of concern.

I. PROPERTY DESCRIPTION

The subject property located at 26425 Laureles Grade in Monterey is approximately 4.12 acres in size and occurs in a vegetation community that primarily consist of mixed oak woodland and sagebrush scrub. This property is dominated by introduced and mature Monterey Pine (*Pinus radiata*) trees that are not naturally occurring (this parcel is located outside of the native coastal range of Monterey Pine trees), as well as with native Coast Live Oak (*Quercus agrifolia*) trees that are indigenous to the area. The upper west part of the parcel near the property entrance off of Laureles Grade is relatively flat and is dominated by larger upper-canopy Monterey Pine trees that were planted several decades ago (refer to *Figures 1-3*), while the lower mid to eastern portion of the parcel has a steeper east facing slope aspect that is dominated by mature mid-canopy Coast Live Oak trees and dense understory scrub type vegetation (refer to *Figures 4-15*).

Common understory scrub vegetation inhabiting the property primarily consist of indigenous Poison Oak (*Toxicodendron diversilobum*), California Sagebrush (*Artemisia californica*), Coyote Bush (*Baccharis pilularis*), Toyon (*Heteromeles arbutifolia*) and Deer Weed (*Lotus scoparius*). Non-native understory vegetation that is fairly abundant and common on the property includes invasive French Broom (*Genista monspessulana*), various species of thistles (e.g., Bull Thistle), and exotic annual grasses (e.g., Ripgut Brome), all of which are degrading to habitat and increase hazardous wildland fire fuel loads.

Natural recruitment and regeneration of oak trees on the parcel appears to be occurring in levels that are sufficient for supporting and sustaining woodland health and character, and woodland pathogens and diseases appear to absent in levels that are detrimental to the health and viability of trees and habitat. Protected special status flora and fauna and/or sensitive habitat (e.g., aquatic resources, such as wetland and/or riparian habitat) were not observed nor are they known to occur on the subject property. For example, Hookers Manzanita (*Arctostaphylos hookeri*) is a protected special status specie that has the potential of occurring on the parcel and in surrounding areas; however, per the assessment, it is clear that manzanita does not inhabit the property and there is no evidence or indication that manzanita was impacted by non-permitted grading operations. *Environmentally Sensitive Habitat Areas* (ESHA's) are not occurring on this inland parcel that is primarily composed of oak woodland and scrub type vegetation communities that are very common and widespread throughout this region of Monterey County. Rare or sensitive habitat is not occurring on the subject parcel. The most valuable habitat type occurring on this property is Coast Live Oak woodland (refer to attached photos, *Figures 4-15*), which was not significantly harmed or damaged by grading activities, exception being two Coast Live Oak trees that were removed without the necessary County permits.

The two non-permitted tree removals was determined by the County's review and analysis of aerial photographic images, and is a number that the property owner and consulting arborist are not disputing. Other than a relatively small area of oak woodland habitat and the non-permitted removal of two oak trees (refer to *Figures 4-15* [*Figure 15* is an aerial image that identifies the location of the oaks that were removed, as well as surrounding woodland habitat]), high value habitat and sensitive resources were not significantly impacted by non-permitted grading operations.

It should be noted that nesting birds were not detected on the subject parcel and were not expected to be observed due to the property assessment being performed in the fall season, which is not within the normal nesting period. In Monterey County the nesting season may begin as early as February and continue through August, with peak nesting occurring in the spring season.

Man-made features on this undeveloped, but previously disturbed property are limited to a few trailers that are owned by the property owner (refer to *Figure 3*). Soils on the parcel appear to be stable and sufficient for supporting slope restoration and stabilization activities that are provided in this report, as well as with property development operations that are proposed for the subject parcel (refer to soils report that was prepared by *Soil Surveys Group, Inc*).

As stated in the *Monterey County RMA* issued citation, violations have occurred on the subject property. These infractions include non-permitted grading activities (including on slopes in excess of 25%) that have resulted in soil disturbance that increases erosion and sedimentation concerns, as well as impacts to native specie oak trees (i.e., the removal of two larger than 6 inch DBH Coast Live Oaks [*Quercus agrifolia*] tree). More specifically, grading was conducted to clearly identify and delineate a building site for the proposed home, as well as to create a few narrow dirt roads and paths that provide access to various parts of the property. These grading operations resulted in a steep and exposed fill slope below the proposed building pad/terrace and home construction site (refer to *Figures 4-7, 12 & 14*), as well as a few steep and exposed sections of road or paths that are at risk for erosion problems (refer to *Figures 3, 5 & 7-12*).

As is evident on the site, the areas on the property that have been impacted and disturbed by grading operations are presently vulnerable to erosion and sedimentation problems. Consequently, the restoration measures and corrective action provided in the corresponding restoration and remediation report that has been prepared will be promptly implemented to effectively address impacts associated with non-permitted grading activities.

II. TREE REMOVAL IMPACTS, REPLACEMENT & PROTECTION RECOMMENDATIONS

The property owner and *Monterey County RMA* have indicated that two living Coast Live Oak (*Quercus agrifolia*) trees were removed without the necessary permits, which is based on analysis of aerial photographic images. There currently are no physical remnants of the two trees that were removed nor is there visual proof as to the precise size and overall health and condition of the subject trees at the time of removal; however according to the property owner and *Monterey County RMA* (and further supported by a *Google Earth* aerial image) these living trees appear to have been larger than 6 inch DBH at the time of removal. There currently is no evidence that additional trees were removed nor is there any indication that other oak trees were significantly damaged or harmed during non-permitted grading activities. As a result of the unauthorized removal of two oak trees, the property owner has agreed to plant ten (10) 5-gallon Coast Live Oak trees (refer to corresponding Exhibits for planting locations and *Figure 15* aerial image for location of existing trees and woodland habitat) to mitigate impacts associated with non-permitted tree removal and disturbance to oak woodland habitat. These 10 replacement plantings shall survive a 2-year monitoring period to satisfy Monterey County mitigation requirements.

The cut slope that is located along the western edge of the proposed building pad/terrace (refer to *Figures 4 & 13*) was evidently cut into the slope using heavy equipment several years ago by a previous property owner. The roots that are visible are well-weathered and do not appear to be recently cut or impacted, which supports the property owners position that this grading cut occurred several years ago. The immature to mature Coast Live Oak trees that are located on the upslope side of the cut slope have adapted to this grading cut (i.e., lowered grade) within their primary root zone and are currently in fair to good health and condition. Consequently, in my professional opinion no mitigation, preservation or remediation actions are necessary for these relatively immature and smaller size oak trees that are located a short distance above the cut slope, due to the fact there is no evidence of significant stress or decline attributed to the cut slope. In situations where grading operations have resulted in the exposure of roots, it is often advised and advantageous to cleanly cut permanently exposed roots and then cover the exposed soil profile (containing larger primary lateral roots and smaller fibrous roots) with a natural burlap fabric or similar and kept moist until permanently backfilled or covered (refer to *Item 4* under *Tree Protection & Preservation Measures*). However, per the assessment, this root protection and preservation measure is not necessary at this time and will not likely provide any significant benefit to the nearby oak trees.

As a result of the unauthorized removal of one mature multi-trunk oak tree, the property owner has agreed to plant ten (10) 5-gallon Coast Live Oak trees (refer to corresponding Exhibits for planting locations and *Figure 15* for location of existing trees and woodland habitat) to mitigate impacts associated the non-permitted removal of the subject oak tree.

These 10 replacement plantings shall survive a 2-year monitoring period to satisfy Monterey County mitigation requirements.

As noted above, and in the interest of supporting and sustaining woodland habitat and character and satisfying County tree preservation ordinances, ten (10) Coast Live Oak replacement trees of good physiological and structural health shall be planted in appropriate and suitable locations on the subject property to mitigate tree removal impacts. The replacement trees should ideally be a 5-gallon container size (or minimum 1-gallon size depending on nursery availability) and should be acquired from a local native plant nursery that has a good selection of specimens that are free from harmful pathogens, insect pests and/or structural disorders. Furthermore, the replacement plantings should be planted during the appropriate time of year (i.e., fall or winter) using proper tree planting techniques and best management practices, and should be planted in suitable locations that will support healthy establishment, maturation and long-term viability. As previously noted, successful completion of this Monterey County tree preservation compliance action shall be achieved when the replacement plantings survive a 2-year monitoring period. Proper execution of this tree replacement and mitigation action will address tree removal concerns and will assist in preserving and sustaining woodland habitat and character.

Prior to any tree removal or disturbance that is performed during the bird nesting season, which in Monterey County may begin as early as February and continue through early August, a nesting assessment is advised to determine if any nesting birds are present. A recent tree and site inspection determined there are currently no actively nesting birds occurring within or directly adjacent to the proposed property development site; however depending on when construction activities begin (i.e., February-August) it may be necessary to perform an additional assessment.

A. Tree Protection & Preservation Measures:

Per Monterey County requirements and resource preservation BMP's, the following tree and resource protection measures shall be implemented for property restoration and development activities. Proper execution of tree and resource preservation BMP's and regular construction site monitoring will assist in safeguarding and sustaining the health and welfare of trees and habitat on the property. The location of tree protection measures will be determined on-site by the project arborist and other involved parties, and tree and resource preservation measures will be regularly inspected and properly maintained to ensure they are functioning effectively:

1) Prior to commencing with restoration grading and construction activities install high visibility exclusionary fencing that clearly defines the work area, limits unnecessary disturbance to surrounding areas, and protects the critical root zone (i.e., canopy dripline) of individual trees and tree groupings. Perform necessary repairs, modifications and

maintenance on a as needed basis.

2) Install appropriate sedimentation control measures (e.g., silt fence) along downslope perimeter of site, and if necessary apply soil stabilization and source control measures (e.g., rice straw mulch, erosion control blankets, all-weather surfaces) to exposed soil surfaces to prevent erosion problems and sediment runoff during rain events. Perform routine monitoring as well as necessary maintenance and improvements to ensure that erosion & sedimentation control measures are functioning effectively. It should be noted, that erosion problems and sediment deposition around trees can adversely affect tree health and stability.

3) Where grading and construction activities are occurring within 3 feet of trees install trunk and stem protection measures (e.g., 2x4 lumber forming protective barrier around circumference of lower stem of tree). Tree protection measures should be securely installed to trees with rope and high visibility exclusionary fencing. If it is necessary to perform any pruning use proper tree pruning practices to minimize stress and maximize wound healing.

4) Where possible avoid damaging or severing roots located within the critical root zone (i.e., canopy dripline) of trees, especially roots that are 2 inches diameter or larger. Construction footings should be designed and excavation cuts performed in a manner to minimize impacts to primary roots. If significant roots are encountered efforts should be made to carefully excavate (e.g., tunnel or dig) under or around primary lateral roots. Trenching operations that may occur within the critical root zone of retained trees should be performed under the guidance and monitoring of the project arborist. Tree roots severed or significantly damaged during grading and excavating operations should be cleanly cut and promptly covered with moist burlap fabric or equivalent until roots are permanently covered with backfill material or until the exposed grading cut and soil profile is permanently stabilized and protected. If burlap covered cut roots are exposed to the outside environment for an extended period of time a project attendant shall be assigned the task of regularly wetting burlap covered roots to prevent root desiccation.

5) Avoid storing construction tools, materials and equipment within the critical root zone (i.e., canopy dripline) of trees, and do not wash out or dispose of excess materials (e.g., paint, plaster, concrete, or other potentially harmful substances) within critical root zone areas. If it is unavoidable and necessary to temporarily store or stockpile materials and equipment within the dripline of trees, apply 3-5 inches of clean and properly sourced woodchip mulch to prevent significant soil compaction and root zone disturbance.

6) Where possible avoid altering the natural grade within the critical root zone of trees to reduce the likelihood of causing stress, decline or mortality. Lowering natural grade can result in significant root damage and raising the grade (i.e., introducing fill material, particularly around the lower trunk and root crown) can lead to trunk and root decay

disorders that are detrimental to the health and structural integrity of trees.

7) If tree pruning is necessary it is important to utilize proper pruning BMP's that will assist in minimizing harmful impacts to trees. Tree pruning should ideally be performed during the fall through early winter months. A general principle to follow is that it is important to make proper pruning cuts, keeping them as small as possible while removing as few living branches as necessary to achieve the objective. Excessive pruning stresses trees by depleting energy reserves and reducing food making processes (i.e., photosynthesis), which compromises a trees ability to replenish essential reserves during periods of stress (e.g. root disturbance and drought conditions). Additionally, it creates an abundance of exposed wounds providing entry points for potentially harmful biotic disorders (e.g., disease, decay and/or insect pests) that can adversely affect the health and structural integrity of trees. It should be noted that pruning involving the removal of 30% or more living canopy material requires a County permit. Additional pruning BMP's and guidelines are available upon request.

8) Regularly perform construction site inspections for the duration of the project to monitor the condition of tree and resource protection measures, and to determine if any repairs, adjustments or modifications are necessary. Additionally, trees impacted by site development should be periodically monitored and assessed during and following the project to determine if any tree care and management actions are necessary, and to make certain trees do not present a hazard to property and/or nearby structures.

B. Tree Repair & Replacement:

Per tree care BMP's and tree preservation ordinances, any trees damaged during restoration or construction operations should be promptly repaired and/or treated per arborist specifications. Remedial or mitigation treatments may vary and will depend largely on the damage or injury sustained, as well as the condition of specific trees at the time of injury. As previously noted, trees impacted by project operations should be periodically monitored and assessed by the project arborist during and following the project to determine if any tree care and management actions are necessary that will assist in preserving and improving tree health, and/or preventing tree hazards. Prescribed treatments will be determined on a case by case basis.

III. CONCLUSION

In conclusion, the recommendations provided in this report primarily address the non-permitted removal of two mature Coast Live Oak trees from the property located at 26425 Laureles Grade in Monterey (APN: 416-051-005). Additional impacts to oak woodland habitat from grading activities were minimal and have not significantly impacted or compromised the health and viability of this oak woodland dominated vegetation community. As a result of the non-permitted removal of two oak trees, as well

as minor and inconsequential impacts to oak woodland habitat the property owner has agreed to plant ten (10) 5-gallon container size Coast Live Oak saplings that will be monitored for a 2-year period. This will assist in sustaining woodland health and character, as well as satisfying *Monterey County Planning Department* and *RMA* tree replacement requirements.

Thank you and please let me know if you have any questions or need additional information.

Best regards.

Rob Thompson
ISA Certified Arborist WE-7468A
Resource Ecologist

Date

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Figure 1. Entrance on west side of property along Laureles Grade is dominated by several mature and introduced Monterey Pine trees that were planted decades ago. Apply all-weather aggregate surface to entrance to prevent sediment tracking onto Laureles Grade roadway.



Figure 2. Disturbed area near entrance to property will have mulch applied to exposed areas that are relatively flat. Rice straw mulch and/or woodchip mulch soil protection (i.e., source protection) measures will assist in stabilizing exposed soil surfaces and reducing erosion concerns.



Figure 3. Graded road along upper west part of property provides access to a few trailers. It should be noted that a road existed here prior to the most recent non-permitted grading. Retain and winterize road and install silt fence along downslope perimeter of road and graded pad where trailers are located.



Figure 4. Building pad/terrace for proposed homesite. Retain, but apply woodchip or rice straw mulch to exposed flatter surfaces. Cut slope developed by previous property owner is located on right side of photo.



Figure 5. Steep and disturbed slope viewed from building pad seen in last photo is greater than 25% grade. A narrow road/path is located in mid slope and at bottom of slope. Properly shape and track roll slope prior to applying hydromulch and erosion control blankets. Also, install straw wattles (i.e., slope interruption measures) in upper and lower section of slope to assist in stabilizing and protecting impacted slope. The oak tree that was removed was located in foreground in lower center portion of photo.



Figure 6. Another view of disturbed and exposed slope below proposed homesite that needs to be stabilized and restored. Oak that was removed was located near top of slope (center portion of photo).



Figure 7. Another view of upper portion of disturbed slope below proposed home building site and narrow road/path that also needs to be restored and/or outsloped. Upon completion of slope shaping and track rolling operations apply native seed mix and erosion control blankets.



Figure 8. Outslope narrow road/path and install earthen or sand bag water bars every 50 feet to divert concentrated runoff off of exposed soil surfaces. Also apply native seed mix and rice straw or woodchip mulch to protect and stabilize exposed soil surfaces.



Figure 9. Vertically track roll exposed soil surfaces followed by the application of native seed mix (preferably via hydromulch) and erosion control blankets (e.g., jute net should be sufficient).



Figure 10. Shape and outslope narrow road/path into surrounding slope prior to applying and installing soil stabilization measures. Retain small oak sapling visible near right edge of photo.



Figure 11. Install rice straw or wood chip mulch in foreground (i.e., flatter areas) and erosion control blankets (e.g., jute net) and straw wattles on steeper slopes (e.g., right of center) to stabilize exposed soil surfaces and prevent erosion problems.



Figure 12. Restore lower road/path and apply native seed mix and soil stabilization measures to exposed slope. As of late, straw wattles have been installed toward lower section of slope (right of center).



Figure 13. Proposed building pad and site was developed by previous property owner. Relatively immature oak trees located above cut slope are in generally good health and condition and have adapted to the grade change that occurred several years ago. Retain cut slope and building pad/terrace.



Figure 14. Straw wattles have recently been installed in lower section of slope. Additional erosion and sedimentation control and slope stabilization BMP's provided in this report should be implemented.

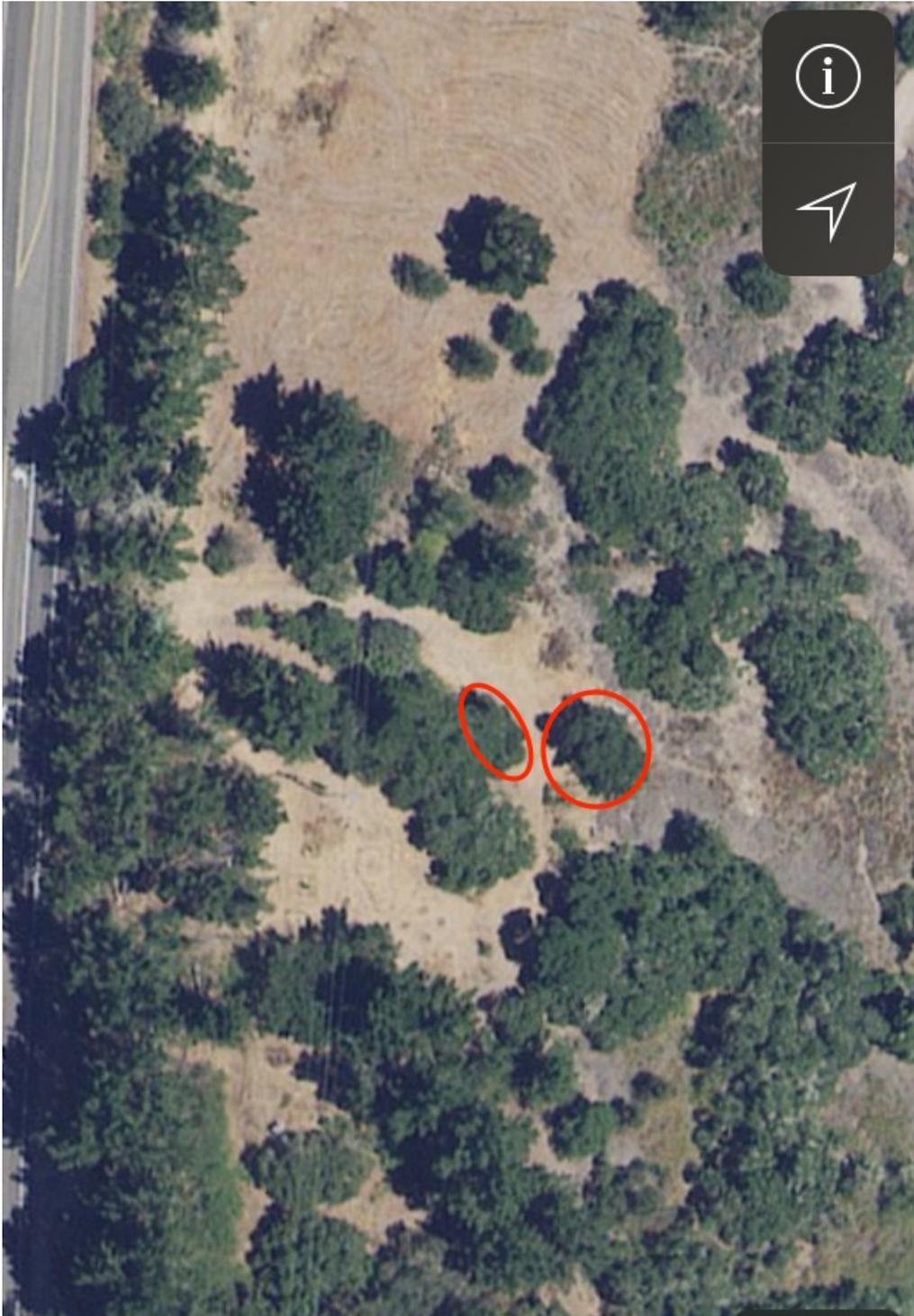


Figure 15. Two mature Coast Live Oak trees that were removed are circled in photo. Numerous other trees visible in aerial image have not been removed or impacted. Per a recent assessment, surrounding oak woodland habitat is still intact and has not been significantly impacted or compromised.

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