RAPPOPORT
Development Consulting Services LLC

Jeremy S. Rappoport, President
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1286 University Ave. #807 San Diego, CA. 92103

Supplemental Update to Protected Tree Removal Report 929 Border Avenue, Del Mar, CA August 13, 2020 Update September 13, 2022

Prepared for:

Mr. Manuel Nieto
Nieto Development Consulting
418 Third Avenue Suite B.
San Diego, CA. 92101

Prepared by:

Mr. Jeremy Rappoport
Rappoport Development Consulting Services LLC
1286 University Ave. #807
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ISA Cert. WE-9083A

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Supplemental Arborist
Protected Tree Report Update
September 13, 2022

Dear Mr. Nieto

I had previously developed a Protected Tree Removal Report, dated August 13, 2020. I reinspected the protected Monterrey Cypress trees at the site to provide updated tree information.

The declining health condition of the remaining 14 Monterrey Cypress continues. All the remaining 14 trees were in very poor health condition. Trees #23, #26, #30, and #39 were actively failing toward the northern property line and should be removed.

Previously, these four trees were included in the mitigation calculation of 19 replacement trees to mitigate the loss of 14 living trees. Although the four trees referenced above had some remaining green foliage they were dying, active failing and should be removed. I'm not sure if the Planning Director will require mitigation for dead Cypress. The loss of trees #23, #26, and #30 required a 2:1 replacement ratio, #39 a 1:1 replacement ratio for a total of 7 of the 19 replacement trees to mitigate the loss.

The Planning Director will determine whether their failure status requires mitigation, if not, the total mitigation replacement decreases from 19 to 12 trees.

Please contact me if you have any questions.

Sincerely,

RDCS LLC

Jeremy Rappoport

Mr. Jeremy Rappoport
President
jeremy@landscapeexpertwitness.com
858-205-4748

ISA Certified Arborist #WE-9083A
ASCA Registered Consulting Arborist #564
ISA Tree Risk Assessor Qualified
CA. Landscape Contractor, #436000 (Consultant Only)
B.S. Ornamental Horticulture, Calif. State Polytechnic University, Pomona

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Protected Tree Removal Report
929 Border Avenue, Del Mar, CA

August 13, 2020

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Summary

Mr. Nieto requested a tree evaluation and tree removal report for protected trees on property to be developed into custom lots. I performed a tree assessment, developed a tree inventory reflecting the health condition of protected Monterey cypress and Torrey pine trees.

Thirty of the 44 cypress are dead; and the one Torrey pine is dead. The 14 remaining cypress are in poor health condition, pose and high risk of failure and should be removed immediately. Based on DMMC 23.50.080, the trees qualify for removal under Tree Removal Permit guidelines.

Based on trunk circumference, 19 - replacement trees may be required to mitigate loss of the 14 living trees.

Introduction

Background

Mr. Nieto of Nieto Development Consulting contacted me requesting a tree evaluation and tree removal report for protected trees located 929 Border Avenue in Del Mar. The protected tree species are *Pinus torreyana* (Torrey pine), and *Hesperocyparis macrocarpa*, (Monterey cypress). Both are protected trees defined within the City of Del Mar Tree Ordinance (DMMC 23.50).

Assignment

1. Perform a level two basic ground-based inspection
2. Develop a tree inventory including:
    a. Protected species identification
    b. Health condition rating, (good, fair, poor, dead).
    c. Digital photograph of each tree.
3. Develop a tree removal report for the subject protected trees per the Public Tree Policy Manual for the City of Del and the City of Del Mar Tree Ordinance (DMMC 23.50). Report to include:
    a. Consultant ISA certified arborist number on company letterhead.
    b. Surveyed tree location map and surveyor cut sheet (by Owner).
    c. Removal criteria based on health condition rating.
    d. Calculate mitigation quantities based on subject tree trunk circumference, (DMMC 23.50.090).
    e. Assist Client in completing arborist portion of City of Del Mar Tree Removal permit application.

Limits of the Assignment

1. Stumps and dead trees with circumference less than 20". (DMMC 23.50.090) are excluded

2. Excavations, sampling, laboratory testing.
3. Ornamental trees excluded.

Report Purpose and Use. Purpose and Use

The Client may use and share and submit this report as part of the City of Del Mar Tree Removal permit process.

Observations

The Site

The five-acre site is located on the Del Mar coastal bluffs. Mr. Nieto informed me the current parcel is proposed for a five one-acre lot subdivision. (See Appendix A Final Map TTM 14-001). The site is uninhabited, there are no structures, I observed Canary Island palms, dead and dying Monterey cypress. The sandy site soil contains various weeds that appeared recently disked. The site is non irrigated.

The Trees

With the exception of one dead Torrey pine, the Monterey cypress comprise all of the protected trees. In general, the cypress are 60-90 years, most are dead, the remainder are in poor health condition. Trees along the norther property line were topped decades ago to form a cypress hedge. Due to trunk and stem decay, several cypress trees have suffered root failure, resulting in trees leaning across the fenced property line or laying on the ground. (See Appendix C – Photographs of Cypress Root Failure). I observed decaying trunks, limbs and in the remaining declining trees. (See Appendix D Photographs of Dead Cypress and Torrey Pine).

Testing and Analysis

The utilized the ISA industry standard for a level two ground based visual inspection. I plotted or identified tree symbols on pdf exhibits provided by the Client. The report contains tree locations prepared by a licensed surveyor.

Per DMMC 23.50.090, I measured trunk circumference for single and multi-trunked trees two feet above grade using a tape measure. I recorded field data using an Apple I-pad on an Excel tree inventory spreadsheet. The Owner had the tagged tree locations surveyed. (See Appendix B – Surveyed Tree Locations and Surveyor Cut Sheet).

Discussion

There is one dead Torrey pine, 30 dead Cypress and 14 living Cypress in poor health condition.

To develop the parcel into custom lots, the Owner desires to cut down and remove protected trees and will apply for a Tree Removal Permit (DMMC 23.50.80, A.) The Director shall approve a Tree Removal Permit if the tree is dead, diseased, or injured beyond reclamation (DMMC 23.50.080, C.1.). All of the dead or dying protected trees satisfy criteria #1 established for a Tree Removal Permit.

The tree inventory exhibit summarizes the protected species, trunk circumference and current health condition. See Table One, Tree Inventory, Trunk Circumference and Health Condition.

Date	Tree Information					Health Condition				Recommend-ation	Comments
8/12/20	Code	Multi Trk	Circumference (") 2' above grade	Ht	Spread	G	F	P	D	Remove	
1	HM		66	18	16				X	X	Dead
2	HM		72	12	10				X	X	Topped, dead
3	HM		28	19	15				X	X	Dead with beetles
4	HM		70	42	23				X	X	Dead
5	HM		64	38	22				X	X	Topped dead
6	HM		57	30	17				X	X	Dead
7	HM		38	28	20			X		X	Alive
8	HM		108	30	22			X		X	Alive
9	HM		128+	40	26				X	X	Dead
10	HM		117	35	20				X	X	Topped dead
11	HM		39	11	15			X		X	Topped braced high risk failure
12	HM	2	45, 69	26	22				X	X	Dead
13	HM		50	18	12				X	X	Dead
14	HM		42	13	11				X	X	Dead
15	HM		37	21	9				X	X	Dead
16	HM		57	16	16			X		X	Alive
17	HM		84	20	15				X	X	Topped dead
18	HM		31	11	0				X	X	Dead
19	HM		85	13	20				X	X	Dead
20	HM		45	17	21				X	X	Dead on ground
21	HM		81	23	23				X	X	Dead
22	HM		42	12	17			X		X	Tipped barely alive
23	HM		64	16	22			X		X	Root failure, high risk failure
24	HM		39	8	6				X	X	Dead
25	HM		52	18	22			X		X	Alive
26	HM		71	15	17			X		X	Alive, soil failure high risk
27	HM		59	12	10				X	X	Soil failure, high risk
28	HM		67	17	16				X	X	Dead
29	HM		40	18	13				X	X	Dead
30	HM		80	16	12			X		X	Root failure, high risk
31	HM		45	10	10				X	X	Rot failure dead
32	HM		68	13	16				X	X	Dead
33	HM		57	16	16			X		X	Alive
34	HM		36	16	12				X	X	Dead
35	HM		58	18	17				X	X	Dead
36	HM	2	18,51	18	15				X	X	Dead
37	HM	3	12,21,41	20	12				X	X	Failed dead
38	HM		25	10	4				X	X	Failed dead
39	HM		51	17	16			X		X	Failed high risk
40	HM		50	17	17			X		X	Failed alive high risk
41	HM		65	17	15				X	X	Fell over dead
42	HM		39	12	0				X	X	Dead trunk
43	HM		53	17	12			X		X	Alive
44	HM		45	30	15			X		X	Alive
45	PT		100	45	25				X	X	Dead
Total								14	31		

Table 1, Tree Inventory, Trunk Circumference and Health Condition Rating

In summary, 30 of the 44 Cypress are dead, the remaining 14, although alive, are in severe decline and cannot be rehabilitated. One Torrey pine is dead.

The DMMC 23.50.090, A. states the Planning and Community Development Director or Design Review Board may impose permit conditions. Item 1 may require the permittee replace the removed tree(s) on the property, the replacement numbers based on the Tree Mitigation Replacement Scale and the species being removed. The Tree Mitigation Replacement Scale applies to both protected species, the Torrey pine and Monterey Cypress. See Table Two.

Circumference of Single-Trunk Tree To be Replaced*	Replacement Ration # of Replacement Trees / # of Removed Trees
20" – 60"	1 / 1
60" – 100"	2 / 1
100" or Greater	3 / 1

Circumference of Multi-Trunk Tree To be Replaced*	Replacement Ration # of Replacement Trees / # of Removed Trees
30" – 70"	1 / 1
70" – 110"	2 / 1
110" or Greater	3 / 1

Table 2, DMMC 23.50.090 Tree Mitigation Replacement Scale

*Measured two feet above ground level

Date	Tree Information						Health Condition				Mitigation	Comments
8/12/20	Code	Multi Trk	Single Trk	Circumference 2' Above Grade	Ht	Spread	G	F	P	D	Remove	
7	HM		1	38	28	20			X		X	Alive
8	HM		1	108	30	22			X		X	Alive
11	HM		1	39	11	15			X		X	Topped braced high risk failure remove
16	HM		1	57	16	16			X		X	Alive
22	HM		1	42	12	17			X		X	Tipped barely alive
23	HM		1	64	16	22			X		X	Root failure, high risk alive
25	HM		1	52	18	22			X		X	Alive
26	HM		1	71	15	17			X		X	Alive soil failure high risk
30	HM		1	80	16	12			X		X	Root failure, high risk alive
33	HM		1	57	16	16			X		X	Alive
39	HM		1	51	17	16			X		X	Alive failed high risk
40	HM		1	50	17	17			X		X	Failed alive high risk
43	HM		1	53	17	12			X		X	Alive
44	HM		1	45	30	15			X		X	Alive
Total									14			

Table 3, Cypress Tree ID Number and Trunk Circumference

The 14 remaining living Cypress that may require plant replacement based on trunk circumference are depicted in Table Three, including the tree ID number, and the trunk circumference measured two feet above grade.

The trunk circumference of the 14 trees is inserted into the DMMC Tree Mitigation Replacement Scale and the replacement quantity is calculated by the replacement ratio depicted in Table Four below

	Circumference of Living Single - Trunk Tree to be Replaced		
Tree ID Number	20" - 60"	60" - 100"	100" or Greater
7	38		
8			108
11	39		
16	57		
22	42		
23 Dying, active failure		64	
25	52		
26 Dying active failure		71	
30 Dying active failure		80	
33	57		
39 Dying active failure	51		
40	50		
43	53		
44	45		
TOTAL TREES	10	3	1

Circumference of Single Trunk Tree to be Replaced	20 - 60"	60 - 100"	100" or Greater
1/1 Replacement Ratio Quantity	10		
2/1 Replacement Ratio Quantity		6	
3/1 Replacement Ratio Quantity			3
TOTAL REPLACEMENT QUANTITY	19		

Table 4, Tree Replacement Calculated by Trunk Circumference

Conclusions

There are 45 protected trees on the site, one dead Torrey pine, 30 dead Monterey Cypress and 14 living Monterey Cypress in poor health condition beyond rehabilitation.

Several cypresses have failed and are leaning over the fenced property line or laying on the ground.

The remaining cypress are in poor health and pose a high risk of trunk or root failure due to extensive decay. Based on DMMC 23.50.080, C.1.), all 14 remaining trees satisfy criteria #1 for removal of dead or dying trees beyond rehabilitation established for a Tree Removal Permit. A total of 19 replacement trees may be required to mitigate the loss of the 14 protected Cypress trees.

Please contact me if you have any questions.

Sincerely,
RDCS LLC

Jeremy Rappoport
President

ISA Certified Arborist, WE-9083A
ASCA RCA #564
C-27 #436000
B.S. Ornamental Horticulture

Certificate of Performance

I, Jeremy Rappoport, certify that:

I have personally inspected the tree(s) and property referred to in this report and have stated my findings accurately, the extent of the inspection services is stated in the report and the scope of the assignment.

I have no current or prospective interest in the trees or the property that is the subject of this report and no personal interest or bias with respect to the parties involved.

The analysis, opinions, and conclusions stated herein are my own and based on current scientific procedures, facts and industry accepted inventory techniques.

My analysis, opinions, and conclusions were developed, and this report has been prepared according to commonly accepted arboriculture industry practices.

No one provided significant professional assistance to me.

My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the attainment of stipulated results, or the occurrences of any subsequent events.

I further certify that I am a good standing member of the International Society of Arboriculture (ISA), the Western Chapter of the ISA, the American Society of Consulting Arborists (ASCA), the Professional Tree Care Association of San Diego (PTCA), and the California Landscape Contractors Association (CLCA).

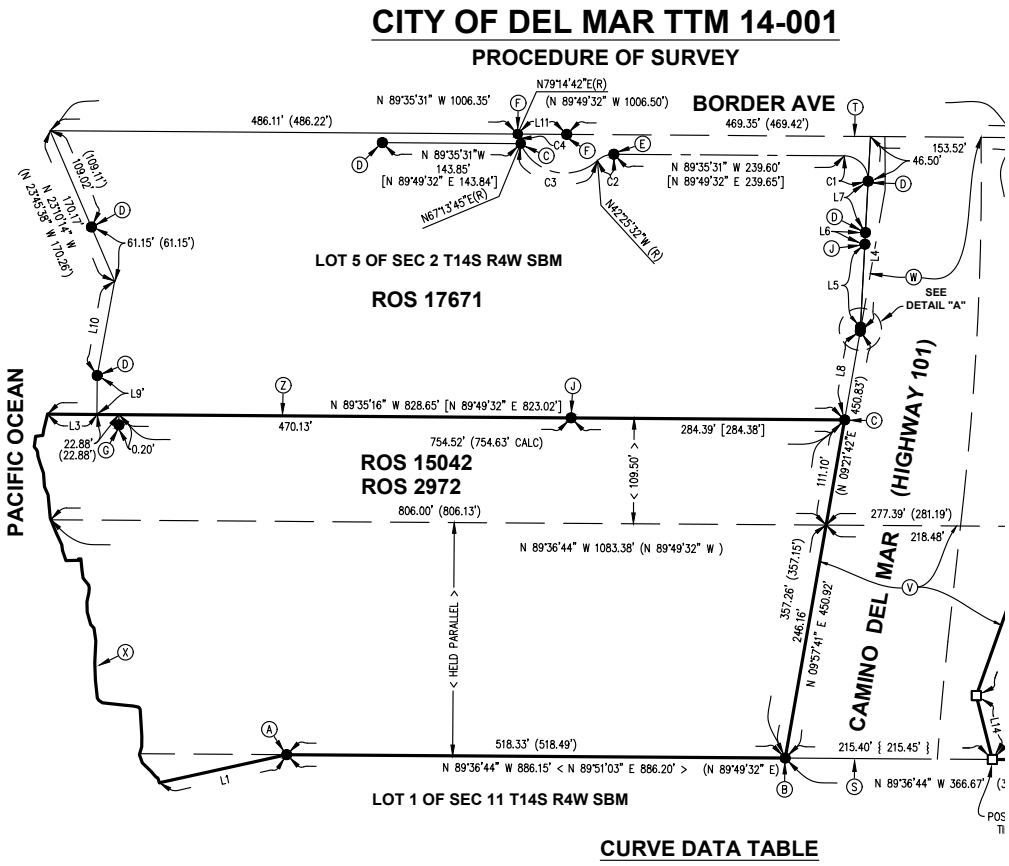
I have been involved in the field of Arboriculture, Horticulture, Landscape Contracting and Land Development for over three decades.

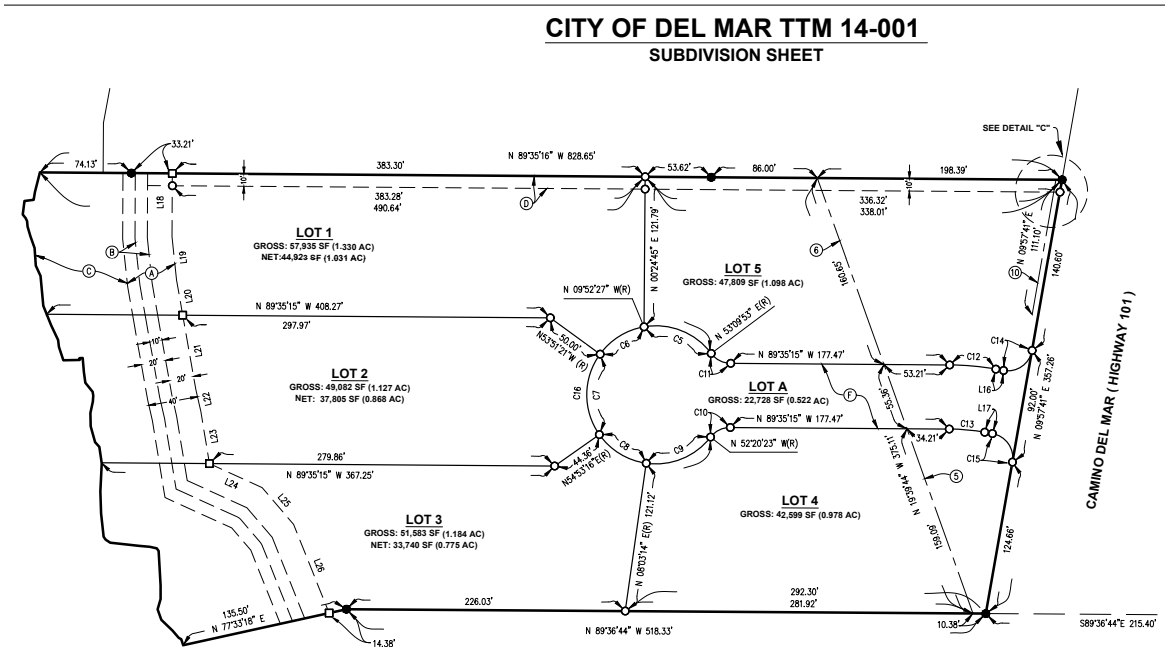
Jeremy Rappoport

Jeremy Rappoport, President

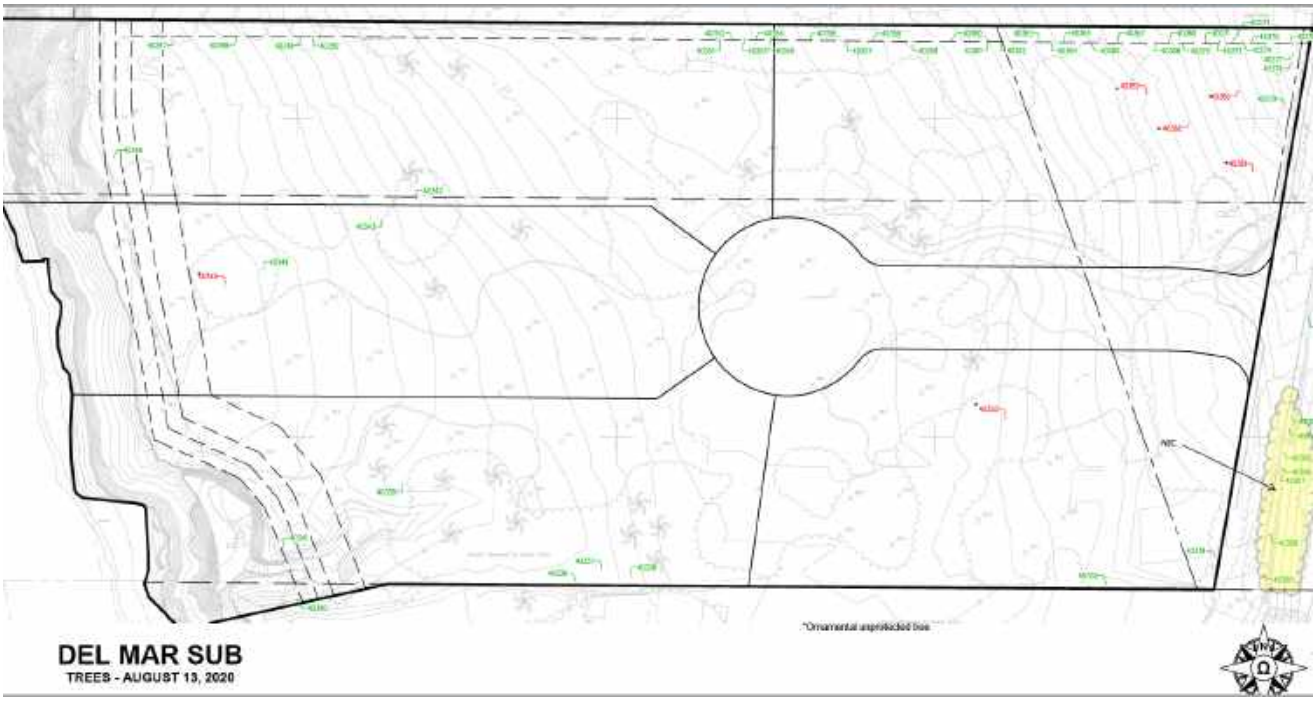
Certified Arborist #WE-9083A
Registered Consulting Arborist RCA #564
Tree Risk Assessor Qualified
C-27 Landscape Contractor #436000
B.S. Ornamental Horticulture

Appendix A - Final Map TTM 14-001





Appendix B – Surveyed Tree Locations and Surveyor Cut Sheet



POINT NUMBER	NORTHING	EASTING	LATITUDE	LONGITUDE	ELEVATION	DESCRIPTION
Private Parcel Trees						
POINT NUMBER	NORTHING	EASTING	LATITUDE	LONGITUDE	ELEVATION	DESCRIPTION
40334	1937328.326	6248974.707	32.5843	-117.1611	82.96	TREE #1 3' DIA
40335	1937311.009	6248906.181	32.5842	-117.1612	85.142	TREE #2 4' DIA
40336	1937315.781	6248608.031	32.5842	-117.1615	85.929	TREE #3 1' DIA
40337	1937320.892	6248589.42	32.5842	-117.1615	85.033	TREE #4 3' DIA
40338	1937312.9	6248573.182	32.5842	-117.1615	84.781	TREE #5 3' DIA
40339	1937373.284	6248464.236	32.5843	-117.1617	81.412	TREE #6 2' DIA
40340	1937300.781	6248398.262	32.5842	-117.1618	82.34	TREE #7 1' DIA
40341	1937334.197	6248389.631	32.5843	-117.1618	78.916	TREE #8 3' DIA
40342	1937552.513	6248473.305	32.5845	-117.1617	83.492	TREE #10 5' DIA
40343	1937539.568	6248451.653	32.5845	-117.1617	82.178	TREE #45 4' DIA
40344	1937507.647	6248377.038	32.5844	-117.1618	78.255	TREE #9 6' DIA
40346	1937578.015	6248283.192	32.5845	-117.1619	75.462	TREE #11 2' DIA
40347	1937654.5	6248319.809	32.5846	-117.1618	77.623	TREE #12 3' DIA
40348	1937654.261	6248360.887	32.5846	-117.1618	79.583	TREE #13 2' DIA
40349	1937654.082	6248400.488	32.5846	-117.1618	82.143	TREE #14 2' DIA
40350	1937654.112	6248408.402	32.5846	-117.1617	83.094	TREE #15 2' DIA
40351	1937652.263	6248663.619	32.5846	-117.1614	91.468	TREE #16 2' DIA
40352	1937651.353	6248671.804	32.5846	-117.1614	90.686	TREE #17 3' DIA
40353	1937652.272	6248679.639	32.5846	-117.1614	90.383	TREE #18 1' DIA
40354	1937652.612	6248686.942	32.5846	-117.1614	90.244	TREE #19 3' DIA
40355	1937652.101	6248695.674	32.5846	-117.1614	89.81	TREE #20 1' DIA
40356	1937651.134	6248720.655	32.5846	-117.1614	88.99	TREE #21 3' DIA
40357	1937651.4	6248744.029	32.5846	-117.1613	88.586	TREE #22 2' DIA
40358	1937652.015	6248760.566	32.5846	-117.1613	87.598	TREE #23 2' DIA
40359	1937650.758	6248784.888	32.5846	-117.1613	86.258	TREE #24 2' DIA
40360	1937651.008	6248808.63	32.5846	-117.1613	85.226	TREE #25 2' DIA
40361	1937652.091	6248832.143	32.5846	-117.1612	83.36	TREE #26 2' DIA
40362	1937650.942	6248839.934	32.5846	-117.1612	82.882	TREE #27 2' DIA
40363	1937650.535	6248864.138	32.5846	-117.1612	81.316	TREE #28 3' DIA
40364	1937650.391	6248872.197	32.5846	-117.1612	80.485	TREE #29 2' DIA
40365	1937649.929	6248879.675	32.5846	-117.1612	80.3	TREE #30 3' DIA
40366	1937650.737	6248896.567	32.5846	-117.1612	78.741	TREE #31 2' DIA
40367	1937651.249	6248913.141	32.5846	-117.1612	77.678	TREE #32 2' DIA
40368	1937650.421	6248937.062	32.5846	-117.1611	75.885	TREE #33 2' DIA
40369	1937649.959	6248945.554	32.5846	-117.1611	75.329	TREE #34 2' DIA
40370	1937650.559	6248953.81	32.5846	-117.1611	74.572	TREE #35 2' DIA
40371	1937650.553	6248968.495	32.5846	-117.1611	73.373	TREE #36 2' DIA
40372	1937651.03	6248977.421	32.5846	-117.1611	72.872	TREE #37 2' DIA
40373	1937650.18	6248985.266	32.5846	-117.1611	72.365	TREE #38 1' DIA
40374	1937650.83	6248992.306	32.5846	-117.1611	71.723	TREE #39 2' DIA
40375	1937651.003	6248997.333	32.5846	-117.1611	71.26	TREE #40 2' DIA
40376	1937648.982	6249023.271	32.5846	-117.161	69.889	TREE #41 3' DIA
40377	1937643.218	6249023.579	32.5846	-117.161	70.233	TREE #42 1' DIA
40378	1937637.369	6249022.631	32.5846	-117.161	70.816	TREE #43 2' DIA
40379	1937611.893	6249018.645	32.5845	-117.161	71.989	TREE #44 2' DIA

Appendix C – Photographs of Cypress Root Failure

Appendix D - Photographs of Dead Cypress and Torrey Pine