Exhibit E





June 14, 2022

Douglas N. Silverstein, J.D., M.B.A. 3821 Eddingham Avenue Calabasas, CA 91302

SUBJECT: Tree Report for 3821 Eddingham Avenue, Calabasas, CA

Dear Mr. Silverstein,

Based on my report, you need a permit to encroach into the protected zone of two oak trees including one that is large enough to be called a heritage oak per the city ordinance. Encroachment will affect ten percent of the protected root zone of trees 1 and 2 as shown on the tree map (the red hatched area). The encroachment will be at least fourteen feet from the trunks and lost roots should be replaced in one to two years. This encroachment should not cause any long-term damage to the oak trees if the protection measures are used as recommended.

Permit requirements for encroachment are described in the Calabasas oak tree preservation protection guidelines dated 1993. In addition to this tree report and tree map you will need to fill out and sign the **Application Form** provided by the city. You will also need to prepare and sign a **Justification Statement** saying why the encroachment is needed. You must affirm that the trees will be protected by meeting or exceeding the city standards and the encroachment will be done using approved preservation methods, and failure to allow

encroachment as described prohibits the reasonable and conforming use of the property. See

Guidelines Section VI Permit Requirements pages 17 and 18.

The tree map shows the location of trees relative to the renovation. Canopies are shown

as measured in the field. Proposed protection measures are shown on the tree map including

root pruning at the limits of excavation, root zone protection by way of a scaffold and wire

mesh construction fence to protect the tree. The city may impose other conditions.

Section VIII Standards for Performance of Permitted Work described what is required

during construction. The city's oak tree consultant may impose other conditions than the ones I

have recommended. This section describes conditions and methods for work within the tree

protected zone.

There are four coast live oaks (botanical name Quercus agrifolia) within the area of

proposed improvements to your house in Calabasas. The largest tree (ID number 2) will have

about ten percent of its root zone disturbed by the foundation for the proposed house

addition. This vigorous young tree will likely replace the lost roots in one or two growing

seasons and should suffer no long-term negative impact. Tree #1 will have some minor impact

to its protected zone in the form of landscaping. No other protected trees on the lot will be

affected.

On the other side of the house, 120 feet away are four more coast live oaks and six

clumps of scrub oaks (botanical name Quercus Dumosa). These oak trees on the west end of the

lot are separated by 120 feet and a 10 foot high retaining wall and are not impacted in any way

by the proposed addition.

**L·A·JOHNNY** 

10880 Del Norte Street #27 Ventura, California 93004 June 14, 2022

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Tree 1 is separated from the proposed construction by a three foot block wall. The

canopy will not be affected. Some roots may be disturbed by the installation of new

landscaping.

The roots and trunk of tree 1 appear normal. No pest or insects visible from the ground,

no signs of borers on the trunk. No treatment needed. I would check this tree again in eighteen

months.

Tree 2 is a heritage tree by virtue of its trunk circumference but is probably two or more

young oak trees growing together. That means this tree is probably younger and more vigorous

than the typical heritage tree. This tree should tolerate the ten percent root loss. It is important

to properly prune the roots to limit the damage. Before digging make sure the root zone is

moist. Hand dig a root pruning trench at the edge of excavation under oak tree #2. Expose all

woody roots for 18 to 24 inches deep. Cut the exposed roots with a saw or pruning shears,

cover the trench side with burlap and wet it down.

The slope under tree #2 is too steep for standing so scaffold will be needed for any

exterior work. The scaffold deck will protect the root zone. The tree protection fence should be

placed right behind the scaffold and tree protection signs posted every 20 feet.

No canopy pruning should be needed at this time for tree #2. If branches protrude into

the working space, they can be temporarily tied back for working clearance. In one or two years

tree #2 will need to be pruned for clearance of the house, sidewalk, and street. I recommend

hiring as qualified arborist to prepare pruning instructions to shape the canopy for clearance

rather than shearing the edges which damages the tree and requires repeated pruning. I would

assess this tree for pruning in six to eighteen months.

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10880 Del Norte Street #27 Ventura, California 93004

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Trees 3 and 4 are suppressed oak trees growing in the shade of oak tree #2. These tree should not be impacted by the proposed improvements. Prune as needed when tree #2 is pruned.

My report follows. Please let me know if you have questions.

Sincerely

Landscape Architect & Registered Consulting Arborist

California Licensed Landscape Architect 5251

Registered Consulting Arborist #591

Tree Risk Assessment Qualified

Tree and Plant Appraisal Qualified

Certified Consulting Arborist #WE-8327A ISA

#### Attachments:

Tree Report with Supporting documents

Appendix A: Tree Map

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# **Tree Report**

# Report items a. through i

Tree Location:		see tree map	see tree map	see tree map	see tree map
Tree ID		1	2	3	4
Common Name		Live Oak	Live Oak	Live Oak	Live Oak
Genus		Quercus	Quercus	Quercus	Quercus
Species		agrifolia	agrifolia	agrifolia	agrifolia
# Multiple Trunks:	<u> </u>		5	3	3 ,
diamet	er 1	12.0	13.0	1.5	3.0
multitrunk diamet			7.0	1.0	
multitrunk diamet			13.0 12.0	1.0	
multitrunk diamet multitrunk diamet			14.0		
Trunk Diameter or Multi =	C1 3	12.0	27.0	2.1	3.0
Area in Square Inches:		113	571	3	7
Height		30.0	30.0	8.0	12.0
Canopy Cover Information					
Condition: A, B, C, D, F		В	В	С	С
Diameter:	N - S	16.0	38.0	10.0	10.0
	NE-SW	17.0	42.0	11.0	11.0
	E - W	20.0	52.0	14.0	12.0
	SE - NW	14.0	40.0	11.0	5.0
Branch Ht N NE E SE	N	20.0	20.0	2.0	7.0
	NE	4.0	20.0	1.0	7.0
	Е	4.0	22.0	1.0	7.0
	SE	6.0	15.0	1.0	5.0
	S	6.0	15.0	1.0	5.0
	SW	15.0	15.0	1.0	3.0
	W	18.0	10.0	1.0	1.0
	NW	10.0	12.0	1.0	7.0
% Shade		15%	90%	50%	50%
Health & Vigor: A, B, C, D, F		В	В	С	С
PRC Value \$		\$ 25,900	\$ 103,408	\$ 2,625	\$ 2,6
Basic Value		\$ 37,000	\$ 147,726	\$ 5,250	
Cond. Rating Percent		70%	70%	50%	50%
Environment					
Slope Grade		10%	50%	50%	50%
Aspect		W	E-SE	SUPRESSED BY 1, 2	SUPRESSED BY 1, 2
Soil		GOOD, IRR, SHADE	NORMAL	NORMAL	NORMAL
Surround veg		OAKS, CALISTIMN	landscape	OAKS 1, 2 AND 3	OAKS 1, 2 AND 4
Conflicts with structures		YES	YES	YES	YES
descripti	on	GARDEN WALL	HSE, RETAIN WALL	RETAIN WALL	RETAIN WALL
Conflicts with utilities		NO	YES	YES	YES
descripti	on		curb, street	SIDEWALK, CURB	SIDEWALK, CURB

# Tree Report items j. through n.

Report Page 2 items j n.			2	
Tree ID	1	2	3	4
Common Name	Live Oak	Live Oak	Live Oak	Live Oak
Genus	Quercus	Quercus	Quercus	Quercus
Physical Structure				
Broken Branch	YES	NO	NO	NO
Unbalanced Crown	NO	NO	YES	YES
Water traps	NO	NO	NO	NO
Codominat	NO	YES	YES	NO
Over extended branches	NO	NO	NO	NO
Horticulture Evaluation				
Signs of Decay	no	NO	NO	NO
probable effect				
Symptoms of Decay	no	NO	NO	NO
probable effect				
Boring Insects	no	NO	NO	NO
probable effect				
Canopy Infestation	NO	NO	NO	NO
probable effect				
Tree Vigor				
New growth	AVERAGE	AVERAGE	SUPRESSED	SUPRESSED
leaf color	NORMAL	NORMAL	NORMAL/SCORCH	NORMAL/SCORCH
bark	YOUNG	YOUNG	YOUNG	YOUNG
deadwood	NORMAL	NORMAL	NO	NO
crown thinning	NORMAL	NORMAL	SHADE NORMAL	SHADE NORMAL
dieback	NORMAL	NORMAL	NO	NO
Photograph	appendix B	appendix B	appendix B	appendix B
Recommendations				
Cabling or Bracing	no	no	no	no
Irrigation	move head	no change	no change	no change
Drainage	no change	no change	no change	no change
Disease	monitor	n/a	n/a	n/a
Monitor	1 year post const.	1year post const.	none	none
Action	remain	remain	remain	remain
Section		Tree Map		
Probable Disease Effect	none	none	none	none

## Monitoring Section

## Monitoring

A monitoring schedule for each site will be determined by the City's oak tree consultant based on the monitoring protocol (Appendix D). Monitoring will be conducted at quarterly intervals or more, during all grading and construction activities as warranted by the site conditions, for the first 3 years. Following construction, bi-annual monitoring is required for the next 5 years, or more if warranted. The specific monitoring protocol for each project will be determined based on the following:

- the number of trees to remain and their proximity to construction activities;
  the number of trees to be transplanted;
  the location and number of replacement trees required;
- the potential extent of impact to the overall canopy.

Annual reports will be submitted according to the schedule indicated in the permit.

Monitoring of relocated trees will commence at least 3 months prior to any encroachment or grading activities so as to provide important baseline information used to assess the changes in the tree following transplantation.

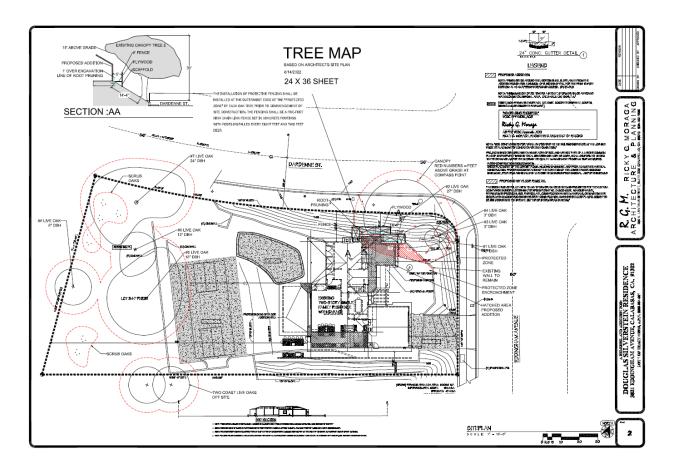
All monitoring will be done by a City approved agency/firm and the cost will be born by the applicant. Information provided by such monitoring will be used to establish realistic mitigation measures and to ensure the long term future of oak resources in the City.

# Requirements from city's consultant

- An ISA Certified Consulting Arborist shall be on-site during all site construction activities in or around the "protection zone" of the protected oak trees.
- 7. The installation of protective fencing shall be installed at the outermost edge of the "protected zone" of each oak tree prior to commencement of site construction. The fencing shall be a five-foot high chain link fence set in concrete footings with posts installed every eight feet and two feet deep. It is recommended that the trees be irrigated both prior to and after the installation of the privacy fence to provide a deep soaking beneath the trees' drip lines, but not within approximately four feet of their trunks.

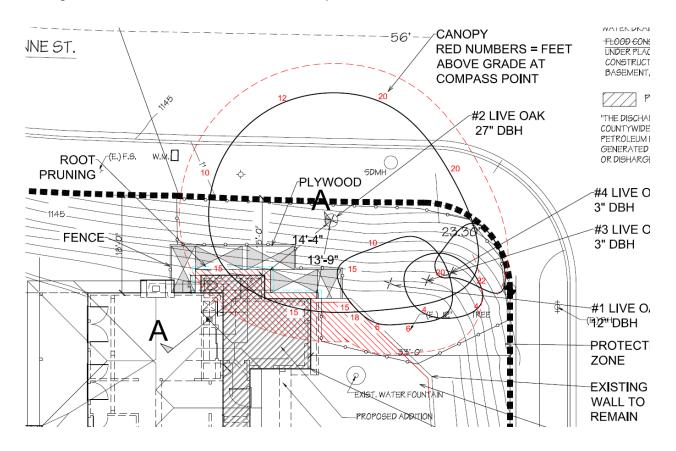
# **Appendix A Tree Map**

Tree Map based on Site Plan attached as separate file. 24x36 reduced version here.

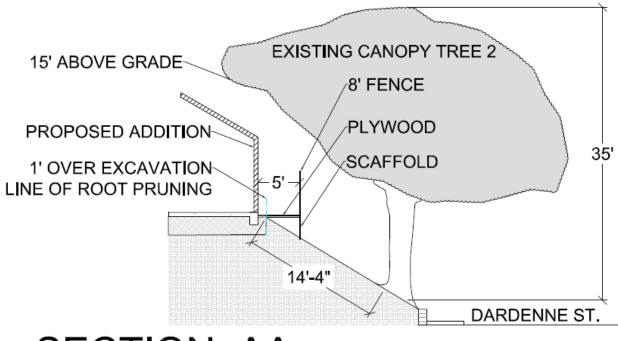


805-754-9393

# **Enlarged Detail of area of concern from Tree Map**



# **Section AA from Tree Map**



**SECTION: AA** 

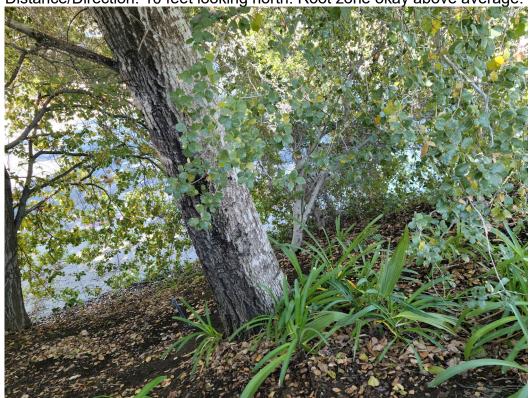
# **Appendix B Photos-**

# 1 Coast Live Oak

Looking north, canopy merges with tree #2



Distance/Direction: 10 feet looking north. Root zone okay above average.





relocate head

Distance/Direction: 60 feet looking south, house photo right, below 6 feet looking south







3 and 4 Coast Live Oak

Distance/Direction: 20 feet looking west, below 10 feet looking east





Distance/Direction: 10 feet looking south, tree 1 upslope right, tree 4 on left.



Distance/Direction: 5 feet looking south, tree 3 upslope right.



# Appendix X - Selected Relevant City Ordinance and Guidelines

## Five General Requirements Ordinance 17.32.010

- **F.** Required Oak Tree Report. The applicant shall submit an oak tree report, prepared by a city- qualified arborist. The exact information and format of the information required is described in the guidelines.
- 1.An inventory of the individual oak trees and scrub oak habitat areas associated with the project;
- **2.**An oak tree location map indicating the current topography and proposed grading plan, the tag number, exact trunk location, dripline, and protected zone of each oak tree within the project area, as well as the outline of proximate scrub oak habitat areas:
- **3.**All proposed site development activities including, but not limited to, excavation for foundations, utility corridors and construction access routes;
- 4. Analysis of the potential impacts of the proposed development activities upon the oak trees and scrub oak habitat;
- **5.** A mitigation program for the proposed impacts.

#### TOC Oak Tree Preservation and Protection Guidelines

dated 29 April 1993

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Ĭ.	PURPOSE

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VI. PERMIT REQUIREMENTS: REQUEST TO ALTER

Pruning

Encroachment within the Protected Zone

Change of Grade Fuel Modification Application Form Justification Statement Description of Project

VII. PERMIT REQUIREMENTS: REQUEST TO REMOVE

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TREE MAINTENANCE IX.

Deadwooding

Pruning Living Tissue Unbalanced Trees

Roots

Fire Damaged Trees

Diseased Trees - Pests and Insects

Cavities

Tree Removals

PHASES OF CONSTRUCTION

Pre-Construction: conference, fencing plan, monitoring plan, parking lot and pedestrian walkways, cut and fill slopes, oak tree removals, deadwooding and

Grading Operations Phase: on-site

documentation, retaining walls within the protected zone, oak tree preservation devices, utility trenching pathway plan Post-Construction Phase: Certification of oak

tree work, monitoring, oak tree information packet, certification of

receipt

## Permit Requirements for Encroachment

#### PERMIT REQUIREMENTS: REQUEST TO ALTER VI.

CONDITIONS REQUIRING A PERMIT TO ALTER

Encroachment within the Protected Zone
Intrusion of any kind within the protected zone of an oak tree ( 15 feet from the trunk or 5 feet outside the dripline of trees under 24 inch DBH; 50 feetfrom all trees 24 inch DBH or greater) is to be avoided whenever possible. However, permits will be granted in those situations where such encroachment is unavoidable. Use of trenches for more than one utility service, proper trench design which minimizes root impacts, proper cutting and treatment of roots should all be detailed in the application.

#### Application Form

Application shall be made on the standard application form supplied by the City. The signature of the property owner will be required in all cases.

#### Justification Statement

This is a written statement indicating the need for taking proposed actions involving oak trees. It should establish that the trees in the vicinity will be protected by meeting or exceeding the standards set by the City; that any encroachment, grade change or fuel modification will be done using approved preservation methods; and that one or more of the following findings can be made:

- 1. that the condition of the oak tree(s) with respect to disease, danger of falling, proximity to existing or proposed buildings and/or structures and parking lots, or interference with utility services cannot be controlled or remedied through redesign of the site elements or reasonable preservation procedures and practices;
- 2. that the retention or failure to allow some encroachment of the trees as described in the application prohibits the reasonable and conforming use of the property.

## Description of work

Site plan showing tree locations and how proposed actions will impact the tree(s). In the case of fuel modification include a copy of the request from the Fire Department.

## Tree Report Format from Guidelines

#### Format for the Report

A standard data sheet provided by the City will be completed for each tree. Additionally, the report shall discuss all grading and structures, required cutting, paving or trenching in and around the trees on the project and shall evaluate, to the extent possible, the impact of such activity on the tree, the impact on the overall canopy cover, as well as any mitigating measures proposed, including drainage modifications, and the anticipated effectiveness thereof.

In addition, the oak tree report shall be based on information requested on the data sheet, which includes the following information:

- a. Location of tree
- b. Tree tag number
- c. Species
- d. Diameter at 4 1/2 feet above natural grade
- e. Height
- f. Canopy cover information:
  - condition of crown canopy (% shade)
  - diameter based on actual ground measurements taken at 4 or more compass points
  - distance from natural grade to the first branch at 8 compass points
  - percentage of canopy cover

## g. Health and Vigor Rating

Use the following criteria to describe the condition of the tree. Percentage (%) of canopy, trunk, branches and roots should be determined by visual inspection.

"A" = Outstanding

A healthy and vigorous tree characteristic of its species and reasonably free of any visible signs of stress, disease or pest infestation.

"B" = Above Average

A healthy and vigorous tree with less than 25% of the tree affected by visible signs of stress, disease and/or pest infestation.

"C" = Average

Although healthy in overall appearance, 25% - 75 % of the tree shows evidence of stress, disease and/or pest infestation.

"D" = Below Average/Poor

Greater than 75% of this tree shows evidence of stress, disease and/or pest infestation and appears to be in a state of rapid decline. The degree of decline may vary greatly.

"F" = Dead

#### h. PRC value of the tree

This value shall be calculated for each tree and will be used to determine the necessary mitigations. Refer to Appendix B for complete discussion.

TREE VALUE = (basic value) (0.1) (condition rating)

Basic value = \$4,700 + \$2,700 (d-7) when (d = diameter in inches of trunk at 4 1/2' above natural grade)

Condition rating = based on visual evaluation

"A" Outstanding 90-100%
"B" Above Average 70-89%
"C" Average 50-69%
"D" Below Average 25-49%

\*F\* Dead 0-24%

Note: Dead trees have important wildlife value and therefore receive extra valuation in certain circumstances).

EXAMPLE: Coast Live Oak (<u>Quercus agrifolia</u>) in good condition having a diameter of 25"

(\$4,700 + \$2,700(25-7)) (0.1) (0.80) = \$42,640

- Existing tree environment:slope grade and aspect, soil description, list of surrounding vegetation
- Physical Structure: broken branches, unbalanced crown, water traps, etc.
- Horticultural evaluation: disease, pest identification and extent of damage
- Tree vigor: new shoots, leaf color, bark characteristics, deadwood, crown thinning, dieback, etc.
- m. Photograph of tree taken from stated distance and direction. Must be clear enough to discern important features of the crown and trunk. Additional photos may be needed to show health problems, unusual features, extent of fire damage, etc.
- n. Recommendations: Suggestions made by the applicant's oak tree consultant regarding any need for stabilizing physical structure {cabling, bracing}, drainage/irrigation changes, disease and/or pest control, monitoring schedule, intended action (remain, remove, relocate).

Drawn sections shall be submitted showing the tree and all impacts to the protected zone above and below natural grade.

Each identified disease symptom shall be accompanied by a statement as to the probable effect of the disease upon the life or structure of the tree.