RESOLUTION NO. 2022-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING ADVERTISING AND CALL FOR BIDS FOR THE CITY PARK BARRACKS AND CYPRESS KNOLLS BUILDINGS BLIGHT REMOVAL 2022 PROJECT.

WHEREAS, the closure of Fort Ord resulted in land being deeded to the City of Marina in an "as-is" condition. The land contains numerous buildings that served the former fort which have deteriorated since 1994 and need to be removed as part of the land redevelopment.
Some of the buildings are on property that the City will retain and must be removed or renovated for adaptive reuse. These include 62-65 barracks buildings and 260 duplex housing units on what was planned to be the Cypress Knolls development; and

WHEREAS, the Fort Ord Reuse Authority (FORA) sunsetted on June 30, 2020, FORA secured bond funding for blight removal prior to closure. Included in the bond funding are FORA bond trust funds allocated to the City amounting to $8,561,968 and escrow bonds that are projected to generate $6.5M in blight removal funding through 2025; and

WHEREAS, on September 15,2020, October 27, 2020, and January 20,2021, the City Council of the City of Marina adopted Resolution No. 2020-127,2020-140 and 2021-11, respectively, receiving staff presentation on blight removal and blight removal projects and providing direction to staff on priorities for blight removal; and

WHEREAS, On May 4, 2021, the City Council passed Resolution No. 2021-42 approving amendment No. 1 to the Program Management Services between the City of Marina and Wallace Group, to add to the scope of work the program management services for the hazardous material abatement and blighted building removal of Phase 1: 47 barracks buildings located at the Dunes City Park and 31 duplex buildings located in Cypress Knoll , and future Phase 2: six barracks buildings on CDEC Hill at Eleventh Street and future Phase 3: 13 barracks located on Dunes Park South; and

WHEREAS, Wallace Group was directed by staff to prepare bidding documents (plans, specifications, and estimates) for phase 1 of the blight removal project. The goal for this project is for the abatement, proper removal, and disposal of 45 barracks and miscellaneous debris, including debris from two burnt buildings at the proposed City Park located along Second Avenue and 8th Street and 30 duplex buildings and miscellaneous debris including debris from one burnt building, at the Cypress Knoll area along Rendova Avenue and Third Avenue for future park and or residential development. Site plans are shown in Exhibits A and B; and

WHEREAS, the work in general is not limited to; installation and maintenance of BMPs from Storm Water Pollution Prevention Plan, abatement and proper removal and disposal of all hazardous materials on the sites described in the Pre-demolition Hazardous Material Inspection Reports, tree removal and trimming as shown on the plans and further described on the Specifications and Arborist Report, protection of Monterey gilia, nesting birds and bats, demolition and proper disposal of buildings, roadways, walkways and retaining walls, rough grading and site restoration. Above mention reports are available for review at the office of the City Public Works; and

WHEREAS, on March 10, 2022 the City of Marina Planning Commission had an open public hearing and adopted Resolution No. 2022-xx, Exhibit C, approving the removal of 32 trees at the proposed City Park at the Dunes location and five trees at the Cypress Knolls location in order to remove the blighted buildings and all healthy trees to be replaced at 2:1 ratio. The Planning Commission added the following conditions of approval which will be incorporated in the final resolution on record:

1. Pictures of all trees to be retained and removed will be kept by the project arborist and made available on the City website.
2. The project arborist shall monitor the landscaping plan based on the current drought conditions in California.
3. Site 1 (Dunes): Sixty-four (64) replacement trees of comparable size and species shall be incorporated into the City Park landscaping plan when it is prepared, based on the conceptual design plans approved by the City Council.
4. Site 2 (Cypress Knolls): Ten (10) replacement trees shall be required as part of the Development Agreement for Cypress Knolls of comparable size and species. Replacement of Cypress Knolls trees shall be delayed until the development of the project is given final direction by the City Council; and

WHEREAS, bidding documents includes provisions for tree protections and tree trimming per the Planning Commission conditions of approval. Tree replacement will be deferred and incorporated in the development of the Dunes Park and Cypress Knolls. Protective fencing will be installed around the Monterey Gilia, fencing placement will be supervised by the biologist before start of work. A biological survey for nesting birds and bats will be conducted 30 days before start of work. Provisions to adjust work to mitigate nesting birds and bats are incorporated on the bidding documents. Denise Duffy &Associates is retained for the arborist and biological survey and inspection during execution of the blight abatement and removal; and

WHEREAS, this action, approving advertising and call for bids does not have fiscal impact. Capital Improvement Project funding, HSF2101 for Barracks Blight Removal with a funding amount of $4,100,000.00 and HSF2103 for the Cypress Knolls Building Removal (Partial) with a funding amount of $1,600,000.00 for a total project funding of $5,700,000.00. If an award is made for this project funding will come from CIP HSF2101 and HSF2103; and

WHEREAS, the City of Marina Planning Division determined that this action, approving advertising and call for bids for the City Park Barracks and Cypress Knolls Buildings Blight Removal 2022 Project is Categorically Exempt under CEQA Guidelines per Article 19, Section 15304, minor alteration to land; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve the advertisement and call for bids for the execution of the City Park Barracks and Cypress Knolls Buildings Blight Removal 2022 Project; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Marina does here by:

1. That the 64 replacement trees be of a comparable size at maturity and native species shall be incorporated where possible into the city park landscaping plan when it's prepared based on the conceptual design plans approved by the City Council.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Marina, duly held on the 15th day of March 2022, by the following vote:

AYES: COUNCIL MEMBERS: Burnett, Biala, Delgado
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: Medina Dirksen, Berkley
ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

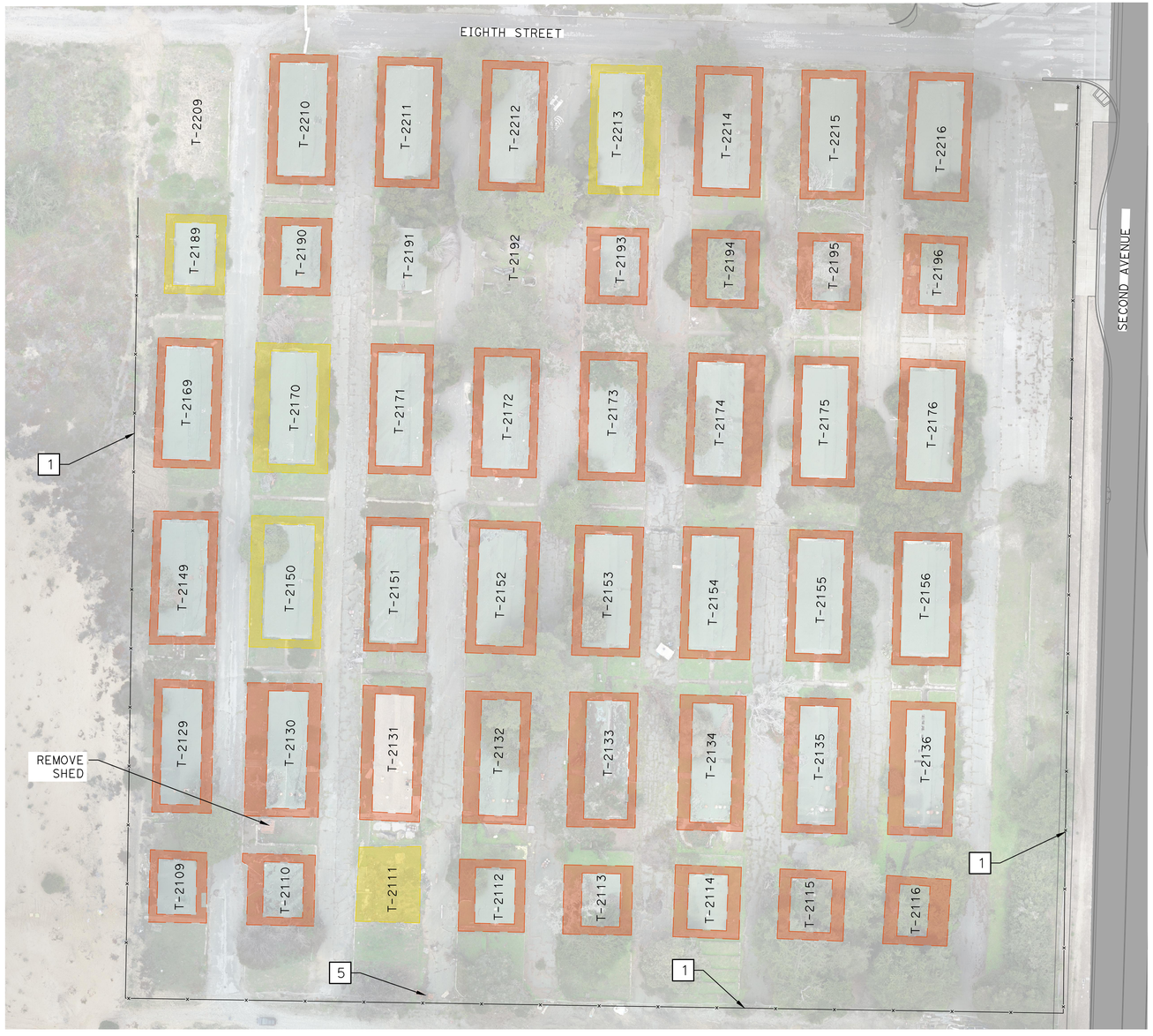
ATTEST:

Anita Sharp, Deputy City Clerk

EXHIBIT A

## TABLE 1 - CITY PARK (PROJECT SITE 1)

| TEMPORARY ADDRESS | PREVIOUS USE | BUILDING TYPE | APPROXIMATE AREA (SF) | NOTES |
|---|---|---|---|---|
| T-2109 | HQ | B1-SINGLE STORY | 992 | ABATE AND REMOVE BUILDING |
| T-2111 | HQ | B1-SINGLE STORY | | BURNED, ABATE AND REMOVED DEBRIS |
| T-2112 | HQ | B1-SINGLE STORY | 992 | ABATE AND REMOVE BUILDING |
| T-2113 | HQ | B1-SINGLE STORY | 992 | ABATE AND REMOVE BUILDING |
| T-2114 | HQ | B1-SINGLE STORY | 992 | ABATE AND REMOVE BUILDING |
| T-2115 | HQ | B1-SINGLE STORY | 992 | ABATE AND REMOVE BUILDING |
| T-2116 | HQ | B1-SINGLE STORY | 992 | ABATE AND REMOVE BUILDING |
| T-2110 | HQ | B1-SINGLE STORY | 1000 | ABATE AND REMOVE BUILDING, INCLUDING SHED |
| T-2189 | ARM STORAGE | B1-SINGLE STORY | 1144 | ABATE AND REMOVE BUILDING |
| T-2190 | HQ | B1-SINGLE STORY | 1144 | ABATE AND REMOVE BUILDING |
| T-2192 | ARMS STORAGE | B1-SINGLE STORY | | DEMOLISHED, REMOVE AND DISPOSE OF TEMPORARY STRUCTURES AND SITE DEBRIS |
| T-2191 | ARMS STORAGE | B1-SINGLE STORY | 1144 | ABATE AND REMOVE BUILDING |
| T-2193 | ARMS STORAGE | B1-SINGLE STORY | 1144 | ABATE AND REMOVE BUILDING |
| T-2194 | ARMS STORAGE | B1-SINGLE STORY | 1144 | ABATE AND REMOVE BUILDING |
| T-2195 | HQ | B1-SINGLE STORY | 1144 | ABATE AND REMOVE BUILDING |
| T-2196 | HQ | B1-SINGLE STORY | 1144 | ABATE AND REMOVE BUILDING |
| T-2129 | DAY ROOM | B2-SINGLE STORY | 2206 | ABATE AND REMOVE BUILDING |
| T-2130 | DINING | B2-SINGLE STORY | 2206 | ABATE AND REMOVE BUILDING |
| T-2131 | DINING | B2-SINGLE STORY | 2206 | ABATE AND REMOVE BUILDING |
| T-2132 | DINING | B2-SINGLE STORY | 2206 | ABATE AND REMOVE BUILDING |
| T-2133 | DINING | B2-SINGLE STORY | 2206 | ABATE AND REMOVE BUILDING |
| T-2134 | DINING | B2-SINGLE STORY | 2206 | ABATE AND REMOVE BUILDING |
| T-2135 | DINING | B2-SINGLE STORY | 2206 | ABATE AND REMOVE BUILDING |
| T-2136 | DINING | B2-SINGLE STORY | 2206 | ABATE AND REMOVE BUILDING |
| T-2149 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2150 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2151 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2152 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2153 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2154 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2155 | OPERATIONS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2156 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2169 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2170 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2171 | BARACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2172 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2173 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2174 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2175 | OPERATIONS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2176 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2209 | BARRACKS | B3-TWO STORY | | BURNED, NO WORK REQUIRED |
| T-2210 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2211 | BARRAKCS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2212 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2213 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2214 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2215 | BARRACKS | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |
| T-2216 | HQ | B3-TWO STORY | 4720 | ABATE AND REMOVE BUILDING |




## CITY PARK PLAN
1"-50'

## NOTES:

1. INSTALL TEMPORARY SECURITY CHAINLINK FENCE AROUND THE PERIMETER OF THE JOBSITE. CONTRACTOR MAY UTILIZE EXISTING CHAINLINK FENCE. EXISTING FENCE THAT IS USED SHALL SHALL BE PROTECTED DURING EXECUTION OF WORK AND SHALL BE RESTORED TO EQUAL OR BETTER CONDITION.
2. CONTRACTOR SHALL INSTALL ALL NECESSARY BMPS SHOWN ON THE SWPPP. SEE WPC SHEETS.
3. TREES TO BE REMOVED OR TRIMMED, SEE SHEET TR-1.
4. ALL BUILDINGS SHALL BE ABATED AS DESCRIBED IN TABLE 1 AND PER SPECIFICATIONS. ABATED BUILDINGS AND OTHER SITE DEBRIS SHALL BE REMOVED AND PROPERLY DISPOSED
5. BURNT CAR TO BE REMOVED AND DISPOSED PROPERLY.
6. ALL DRUMS TO BE DISPOSED AS HAZADOUS MATERIAL. CONTRACTOR HAS OPTIONS TO TEST CONTENTS AND DISPOSE ACCORDIANGLY.

## LEGEND:

6" SOIL REMEDIATION, SEE SHEET CD-3

3" SOIL REMEDIATION, SEE SHEET CD-3


CITY OF MARINA
DEPARTMENT OF PUBLIC WORKS
211 Hillcrest Avenue
Marina, CA 93933


SCALE: HORIZ
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PROJECT ENGINEER

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER
Elvira Nogora Morla-Camacho
No. 60577
FOR PERMITTING ONLY
CIVIL
STATE OF CALIFORNIA

**CITY PARK BARRACKS AND CYPRESS KNOLL BUILDINGS BLIGHT REMOVAL 2022 PROJECT**

# DEMOLITION PLAN

**DM-1**

| DESIGNED BY | DRAWN BY | CHECKED BY | JOB NUMBER | SHEET | OF |
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## TABLE 2 - CYPRESS KNOLL (PROJECT SITE 2)

| TEMPORARY ADDRESS | PREVIOUS USE | BUILDING TYPE | APPROXIMATE AREA (SF) | NOTES |
|---|---|---|---|---|
| 224 & 226 HAYES CIRCLE | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 233 & 235 HAYES CIRCLE | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 300 & 302 HAYES CIRCLE | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 301 & 303 HAYES CIRLE | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 304 HAYES CIRCLE | BARRACKS | B1-SINGLE STORY | | PARTIALLY BURNED, ABATE AND REMOVE REMAINING DEBRIS |
| 305 & 307 HAYES CIRCLE | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 124 & 126 CARSWELL STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 128 & 130 CARSWELL STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 129 & 131 CARSWELL STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 200 & 202 CARSWELL STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 204 & 206 CARSWELL STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 100 & 102 RENDOVA ROAD | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 101 & 103 RENDOVA ROAD | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 104 & 106 RENDOVA ROAD | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 105 & 107 RENDOVA ROAD | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 200 & 202 RENDOVA ROAD | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 201 & 203 RENDOVA ROAD | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 204 & 206 RENDOVA ROAD | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 205 & 207 RENDOVA ROAD | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 208 & 210 RENDOVA ROAD | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 200 & 202 3RD AVENUE | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 201 & 203 3RD AVENUE | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 204 & 206 3RD AVENUE | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 301 & 303 3RD AVENUE | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 100 & 102 BOOKER STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 101 & 103 BOOKER STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 104 & 106 BOOKER STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 105 & 107 BOOKER STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 117 & 119 YOUNG STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 120 & 122 YOUNG STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |
| 121 & 123 YOUNG STREET | BARRACKS | DUPLEX-SINGLE STORY | 2874 | ABATE AND REMOVE BUILDING |


**CYPRESS KNOLL PLAN**
1"=150'

## NOTES:

1. INSTALL TEMPORARY SECURITY CHAINLINK FENCE AROUND THE PERIMETER OF THE JOBSITE. CONTRACTOR MAY UTILIZE EXISTING CHAINLINK FENCE. EXISTING FENCE THAT IS USED SHALL SHALL BE PROTECTED DURING EXECUTION OF WORK AND SHALL BE RESTORED TO EQUAL OR BETTER CONDITION.
2. INSTALL TEMPORARY SECURITY CHAINLINK FENCE ROUND THE PERIMETER OF BUILDING WHERE WORK IS EXECUTED. CONTRACTOR MAY RELOCATE SECURITY FENCE TO THE NEXT BUILDING WHERE WORK IS EXECUTED.
3. CONTRACTOR SHALL INSTALL ALL NECESSARY BMPS SHOWN ON THE SWPPP. SEE WPC SHEETS.
4. TREES TO BE REMOVED OR TRIMMED, SEE SHEET TR-1.
5. ALL BUILDINGS SHALL BE ABATED AS DESCRIBED IN TABLE 2 AND PER SPECIFICATIONS. ABATED BUILDINGS AND OTHER SITE DEBRIS SHALL BE REMOVED AND PROPERLY DISPOSED

## LEGEND:

6" SOIL REMEDIATION, SEE SHEET CD-3

3" SOIL REMEDIATION, SEE SHEET CD-3

CITY OF MARINA
DEPARTMENT OF PUBLIC WORKS
211 Hillcrest Avenue
Marina, CA 93933

SCALE: HORIZ
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PROJECT ENGINEER

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER
Elvira Nadora Morla-Camacho
No. 60577
FOR PERMITTING ONLY
CIVIL
STATE OF CALIFORNIA

**CITY PARK BARRACKS AND CYPRESS KNOLL BUILDINGS BLIGHT REMOVAL 2022 PROJECT**

**DEMOLITION PLAN**

**DM-2**

| DESIGNED BY | DRAWN BY | CHECKED BY | JOB NUMBER | SHEET | OF |
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FILE NAME: 1585-0001-00 DM-1.DWG
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**EXHIBIT C**

Item No. **7b**

Chair and Members
Of the Marina Planning Commission

Planning Commission Meeting
of March 10, 2022

RECOMMENDATION TO OPEN A PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC, AND CONSIDER ADOPTING A RESOLUTION RECOMMENDING THAT THE COMMUNITY DEVELOPMENT DIRECTOR APPROVE THE REMOVAL OF 34 TREES AT THE PROPOSED CITY PARK AT THE DUNES LOCATION AND 5 TREES AT THE CYPRESS KNOLLS LOCATION IN ORDER TO REMOVE BLIGHTED BUILDINGS. ALL HEALTHY TREES TO BE REPLACED AT 2:1 RATIO. EXEMPT FROM CEQA PER ARTICLE 19, SECTION 15304 (MINOR ALTERATIONS TO LAND).

## RECOMMENDATION:

1. Open a public hearing and take any testimony from the public, and;

2. Adopt a resolution of the Planning Commission of the City of Marina recommending that the Community Development Director approve the removal of thirty-two (32) trees to removed at the City Park at the Dunes (APN: 031-221-008) and five (5) trees to be removed at the Cypress Knolls location (APN: 031-201-005).

## GENERAL SITE INFORMATION:

| | **Project Site 1** | **Project Site 2** |
|---|---|---|
| Location: | City Park at the Dunes<br>APN 031-221-008 | Cypress Knolls<br>APN 031-201-005 |
| General Plan: | Mixed Use | Multi-Family Residential |
| Zoning: | UV-SP (University Villages / Specific Plan) | R4 (Multi Family Residential District) |
| Site Area / Dimensions: | 15.02 acres | 154.56 acres |
| Owner / Applicant | City of Marina | City of Marina |

## BACKGROUND:

On February 17, 2021 the City Council adopted Resolution No. 2021-11 to authorize blight removal funding and blight removal projects.

February 1, 2022 Elvie Camacho of Wallace Group applied on behalf of the City of Marina's Public Works Department for two tree removal permits for properties owned by the City of Marina.

On February 2, 2022 Associate Planner Nicholas McIlroy walked both sites with Elvie Camacho and her team to understand the site and the arborist report.

On February 9, 2022 Associate Planner Nicholas McIlroy walked the City Park site with Arborist and Project Coordinator Patric Krabacher and noted that the trees scheduled for removal were mostly in a state of decline.

On February 17, 2022 Patric Krabacher, Project Manager for Denise Duffy and Associates Inc. provided a compliance memorandum for the blight removal project (EXHBIT D). The memorandum includes mitigation measures for Monterey gilia, nesting birds and special-status bat species that will be included as conditions of approval in the attached resolution and as part of the blight removal that will be heard by the City Council.

The arborist reports submitted to the City on February 17, 2022 (EXHIBIT B and C) contains the following results, observations, and recommendations:

## PROJECT DESCRIPTION:

### Tree Removal

*Site 1 (City Park):*

The February 17, 2022 updated arborist survey flagged 32 trees to be removed at the future City Park within the Dunes site. The report notes that the trees are located next to blight buildings so that their roots grow under the foundation or are blocking access and will impact the required blight removal activities and therefore the following trees must be removed:

- Seventeen (17) *Acacia sp.* (Acacia) trees in fair health
- Ten (10) *Pinus radiata* (Monterey Pine) in poor health
- Four (4) *Hesperocyparis macrocarpa* (Monterey Cypress) in poor health
- One (1) *Eucalyptus sp.* (Eucalyptus) in poor health
- One (1) *Pinus muricata* (Bishop Pine) in fair health
- One (1) *Pittosporum undulatum* (Australian Cheesewood) in fair health

*Site 2 (Cypress Knolls):*

The January 27, 2022 survey flagged 5 trees to be removed at the Cypress Knolls site. The report notes that the trees are located next to blight buildings so that their roots grow under the foundation or are blocking access and will impact the required blight removal activities and therefore the following trees must be removed:

- Four (4) Acacia sp. (Acacia) trees in fair health
- One (1) Leptospermum laevigatum (Australia Tea Tree) in fair health

**Tree Replacement**
The removal of all healthy trees on City of Marina property including thirty-two (32) at the City Park and five (5) trees at Cypress Knolls are required to be replaced at a 2:1 ratio for a total of 78 replacement trees. The arborist recommends the following replacement plan:

- Site 1: Sixty-four (68) replacement trees will be incorporated into the City Park landscaping plan when it is prepared.
- Site 2: Ten (10) replacement trees will be required as part of the Development Agreement for Cypress Knolls.

## PROJECT ANALYSIS

The trees proposed for removal are dead or are in poor condition and showing severe signs of decay, disease, and insect infestations as detailed in the arborist report. These trees must be removed due to their location on both project sites in order to remediate the soil and demolish the blighted buildings. Where possible native trees that are in fair and good condition will be limbed or trimmed prior to demolition so that they can be retained. Therefore, the tree removal will have as small of an impact on the future urban forest and allow flexibility with how the two sites will be developed with existing mature trees.

The locations of Monterey Gilia surveyed by Dennis Duffy and Associates between 2006 and 2021 show no Monterey Gilia (5 individuals or more) near where the trees will be removed in Cypress Knolls (EXHIBIT D). Mitigation measures 6 through 8 from the certified EIR have been added to the resolution to mitigate any disturbance of the areas that do have documented Monterey Gilia.

## CORRESPONDENCE

Staff received an email from Mike Owen regarding this project (EXHIBIT E).

## CONFLICT OF INTEREST

Commission members are subject to all aspects of the Political Reform Act. Commission members must not make, participate in making, or attempt to influence in any manner a governmental decision which he/she knows, or should know, may have a material effect on a financial interest. Staff is not aware that any Commissioner owns property within 500 feet of either project site.

## ENVIRONMENTAL REVIEW:

The City of Marina Planning Division determined the project is exempt from the California Environmental Quality Act (CEQA) Guidelines (Article 19, Section 15304) because the project proposes minor alterations to land.

## CONCLUSION:

This request is submitted for Planning Commission consideration and possible action.

Prepared by Associate Planner, Nicholas McIlroy

Exhibits
A- Resolution
B- City Park Arborist Report dated February 17, 2022

C- Cypress Knolls Arborist Report dated February 17, 2022
D- Compliance Memorandum for City of Marina Blight Removal Project 2022-Cypress Knolls
E- Correspondence

**EXHIBIT A**

RESOLUTION NO. 2022-XX

**MARINA RECOMMEND THE COMMUNITY DEVELOPMENT DIRECTOR APPROVE THE REMOVAL OF 34 TREES AT THE PROPOSED CITY PARK AT THE DUNES LOCATION AND 5 TREES AT THE CYPRESS KNOLL'S LOCATION FOR BLIGHTED REMOVAL. ALL HEALTHY TREES TO BE REPLACED AT 2:1 RATIO. EXEMPT FROM CEQA PER ARTICLE 19, SECTION 15304 (MINOR ALTERATIONS TO LAND).**

**WHEREAS,** on February 17, 2021 the City Council adopted Resolution No. 2021-11 to authorize blight removal funding and blight removal projects; and

**WHEREAS**, two arborist reports were submitted to the City on February 17, 2022 (**EXHIBIT B and C**) that evaluated the health and number of trees to be removed and contains tree replacement recommendations; and

**WHEREAS**, on February 17, 2022 Patric Krabacher, Project Manager for Denise Duffy and Associates Inc. provided a compliance memorandum for the blight removal project (**EXHBIT D**). The memorandum includes mitigation measures for Monterey gilia as incorporated below; and

**WHEREAS**, the removal of all healthy trees on City of Marina property including thirty-two (32) at the City Park (APN 031-221-008) and five (5) trees at Cypress Knolls (APN 031-201-005) are required to be replaced at a 2:1 ratio for a total of 78 replacement trees. The arborist recommends the following replacement plan:

- City Park: Sixty-four (68) replacement trees will be incorporated into the City Park landscaping plan when it is prepared in the future to be verified by Staff.
- Cypress Knolls: Ten (10) replacement trees will be required as part of the Development Agreement for Cypress Knolls to be verified by Staff.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission of the City of Marina that it hereby approves RESOLUTION 2022-XX subject to the following required findings and conditions of approval.

Findings

1. The trees proposed for removal are dead or are in poor condition and showing severe signs of decay, disease, and insect infestations as detailed in the arborist report. These trees must be removed due to their location on both sites in order to remediate the soil and demolish the buildings. Where possible native trees that are in fair and good condition will be limbed or trimmed prior to demolition so that they can be retained.
2. The locations of Monterey Gilia surveyed by Dennis Duffy and Associates between 2006 and 2021 (EXHIBIT D) show no Monterey Gilia (5 individuals or more) where the trees will be removed in Cypress Knolls (Project Site 2).

Conditions of Approval

1. That replacement trees shall be allowed to develop their natural form and shall not be trimmed as a topiary or other unnatural form. All tree trimming shall conform to trimming standards.

2. Tree Removal and Protection Plan. Tree removal information shall be provided on the demolition and grading permit prior to issuance. All tree protection shall be installed and approved by the grading inspector prior to removal or retention of any trees. The tree removal and protection plan shall include:

    a. Trees approved for removal and trees to be preserved;
    b. Tree protection guideline notes to include an objectively observable maintenance and care plan and program to be implemented to ensure the continued health and care of other trees on the property during construction in accordance with tree protection guidelines adopted;
    c. All trees scheduled for preservation which may be at risk of injury or harm during the removal of trees approved for removal or during grading, trenching or other activities associated with the development or use of a property shall be temporarily fenced in a bright color (typically orange mesh fencing). Temporary fencing shall be installed prior to the beginning of tree removals, grading or demolition; and
    d. Applicant to work with Staff to ensure that the arborist is on-site as needed during the fencing and tree removal for both sites.

3. Work should be timed to avoid the breeding and nesting season for raptors and other protected avian species. If work must occur during the avian breeding and nesting season (approximately February 1 through September 15), surveys for nesting birds shall be conducted no more than 15 days prior to project activities in all areas within 300 feet of the project footprint that may provide suitable nesting habitat. If nesting birds are identified during surveys, an appropriate buffer shall be imposed within which no work or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 16, when young are assumed fledged.

4. Mitigation Measures: the following biological mitigation measures required by the certified EIR shall be implemented during the project:

    ***Monterey gilia Mitigation A-4***

    - To avoid potential impacts to Monterey gilia until the City-wide Section 2081 ITP is issued, the following mitigation measures shall be implemented prior to the commencement of any ground- disturbing activities within the project site:

        - A qualified biologist shall direct the placement of protective fencing surrounding all documented Monterey gilia populations within the project, this may require a survey to be conducted prior to the onset of construction. No construction activities shall be allowed within the protective fencing.

- Grading, excavating, and other activities that involve substantial soil disturbance shall be planned and carried out in consultation with a qualified hydrologist, engineer, or erosion control specialist, and shall utilize standard erosion control techniques to minimize erosion and sedimentation in the areas containing all documented Monterey gilia populations within the project.
- No construction equipment shall be serviced or fueled within 50 feet of areas containing all documented Monterey gilia populations within the project.
- Irrigation systems shall be designed to minimize runoff or irrigation water into all documented Monterey gilia populations within the project.

***Nesting Birds Mitigation A-6:***

- To mitigate potentially significant impacts to nesting raptors resulting from removal of trees during nesting season (the nesting season is March 1 to September 15), pre-construction (i.e. no more than 30 days prior to construction) surveys for active nests shall be conducted by a qualified biologist within 250 feet of proposed construction activities; pre-construction surveys are not necessary outside the nesting season. If active nests are found, a suitable construction buffer shall be established by a qualified biologist until the young of the year have fledged. Alternatively, construction activities that may affect nesting raptors can be timed to avoid the nesting season.

***Special-Status Bat Species Mitigation A-7:***

- Prior to construction (e.g., building demolition and tree removal), a qualified biologist shall survey the Project site for the presence of special-status bat species. If special-status bat species are present, the following measures shall be implemented:

    - Removal of buildings that contain the bats shall not occur if maternity bat roosts are present (typically maternity roosts are present between April 15 and August 1; however, this timeframe does not apply to all species).
    - No building removal shall occur within 30 feet of the maternity roost until all young bats have fledged - as determined by a qualified biologist.
    - If special-status bats are present but there is not an active maternity roost, the building(s) containing the bats shall not be demolished or removed until the bats have been excluded using exclusionary devices under the supervision of a qualified bat specialist.

**PASSED AND ADOPTED** by the Planning Commission of the City of Marina at a regular meeting duly held on the 10th day of March 2022, by the following vote:

AYES, MEMBERS:

NOES, MEMBERS:
ABSENT, MEMBERS:
ABSTAIN, MEMBERS:

_____
Chairperson

ATTEST:

_____
Guido F. Persicone, AICP
Community Development Department
City of Marina

**DENISE DUFFY & ASSOCIATES, INC.**
PLANNING AND ENVIRONMENTAL CONSULTING

# MEMORANDUM

Date: March 7, 2022

To: Brian McMinn, Public Works Director/City Engineer
City of Marina

From: Patric Krabacher, ISA Certified Arborist 11759
Denise Duffy & Associates, Inc.

**RE: Arborist Report for the City of Marina Blight Removal Project 2022 – City Park**

Denise Duffy & Associates, Inc. (DD&A) is contracted by the City of Marina (City) to provide on-call environmental consulting services for City projects. In support of the Blight Removal Phase of the City Park Project (project or proposed project), located within City limits and within the boundaries of the University Villages Specific Plan (UVSP), DD&A conducted an analysis of trees within the vicinity of 47 buildings which are proposed for demolition. The analysis is based on a tree inventory conducted by DD&A in October 2019 for the Dunes on Monterey Bay Project (Dunes Project) and on a site visit conducted by DD&A in December 2021 to update the results of the tree inventory. This Arborist Report documents the results of the tree analysis, recommends tree removal, or trimming where necessary to facilitate remediation and demolition, and recommends mitigation to avoid, minimize, or mitigate potential adverse impacts of tree removal, or trimming.

## METHODS

### Limitations

This report only identifies potential project impacts to trees and potential adverse impacts resulting from tree removal; no other protected or sensitive biological resources are addressed. To determine potential project impacts to other sensitive biological resources (i.e., sensitive habitats, special-status plants, and special-status wildlife), additional analysis (e.g., biological resources study, focused botanical surveys, and protocol wildlife surveys) may be required.

It is not the intent of this report to provide 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 within the site. In addition to an inspection of the property, DD&A relied on information provided by the City and/or the City's consultants (e.g., survey boundaries, property boundaries, project description) to prepare this report, and must reasonably rely on the accuracy of the information provided. DD&A shall not be responsible for another's means, methods, techniques, schedules, or procedures, or for contractor safety or any other related programs, or for another's failure to complete work in accordance with approved plans and specifications.

**Regulatory Setting**

City of Marina Municipal Code

Marina Municipal Code (MMC or City Code) Section 17.62.030 requires a tree removal permit to remove, damage, or relocate, or cause to be removed, damaged, or relocated any tree on any property within City limits, unless exempted by MMC Sections 17.62.040 or 17.62.050. MMC Section 17.62.030 also prohibits construction activities within the dripline of any tree, unless these activities are conducted in compliance with tree protection guidelines adopted by resolution of the planning commission.

City Code defines "tree" as any living woody perennial plant having a single stem of six inches or more diameter at breast height (DBH) or a multi-stemmed plant having an aggregate diameter of ten inches or more measured at DBH, and any living woody perennial plant which was planted in accordance with requirements of an approved compensation plan or was planted as part of a landscaping plan approved by the City. MMC defines "dripline" as the greater of the outermost edge of the tree's canopy, or fifteen times DBH measured from the center point of the tree.

UVSP Tree Standards

UVSP Tree Standards call for the preservation of as many healthy Monterey cypress trees and oak trees as practicable. In accordance with the UVSP Tree Standards, Monterey cypress trees and oak trees that are in good or fair condition must be protected during construction and preserved wherever practicable. If relocation is possible, Monterey cypress and oak trees shall be removed by machinery, be immediately replanted at a new site, and be watered and fertilized. Monterey cypress and oak trees in good or fair condition that are removed shall be replaced on-site at a ratio of two replacement trees for every one removed (2:1). UVSP classifies tree health based on the following definitions:

- *Good.* Tree is healthy and vigorous as indicated by color of foliage and density, has no apparent signs of insect, disease, structural defects or mechanical injury. Tree has good form and structure.
- *Fair.* Tree is in average condition and vigor for the area, but may show minor insect, disease, or physiological problems. Trees rated as Fair/Poor may be improved with correctional pruning.
- *Poor.* Tree that is in a general state of decline and may show severe structural or mechanical defects which may lead to failure, may have insect or disease damage, but is not dead.
- *Dead/Snags.* Dead standing trees.

California Fish and Game Code

Section 3503 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits take or possession of fully protected birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal Migratory Bird Treaty Act. Section 3800 prohibits take of nongame birds.

**Survey Methods**

2019 Tree Inventory

In support of the Dunes Project, DD&A biologists (led by ISA Certified Arborist Patric Krabacher) conducted an inventory of trees within the boundaries of the Dunes Project (which encompassed the buildings which are proposed for demolition as part of the City Park Project) on October 4, 9, 10, 11, 14, 16, and 17, 2019. The tree inventory included the mapping and tagging of all trees, as defined by City Code, within the survey area. Trees were inventoried with City requirements and UVSP Tree Standards, as follows:

- All trees 6" diameter at breast height (DBH) or greater were tagged with a global positioning system (GPS) location and a numbered aluminum marker (on the most feasible/visible location possible).
- Diameter was recorded at breast height (4.5 feet above ground) or, for multi-stemmed trees, at the most representable location.
- Multi-stemmed trees were recorded as one tree if the root crown (the point where the trunk meets natural grade) was contiguous. Multi-stemmed tree DBH was calculated by taking the square root of the squared sum of all stems measured ($\sqrt{[}$Stem 1 $DHB^2$+ Stem 2 $DBH^2$+ Stem 3 $DBH^2$...]). This equation returns the diameter at the base of the tree (Chojnacky, 1999).
- Species, size, and health class were recorded for each tree. Tree health was based on the UVSP classification system and was evaluated by visually inspecting each tree from its root crown to its foliar canopy for signs of decay, disease, or insect infestations.

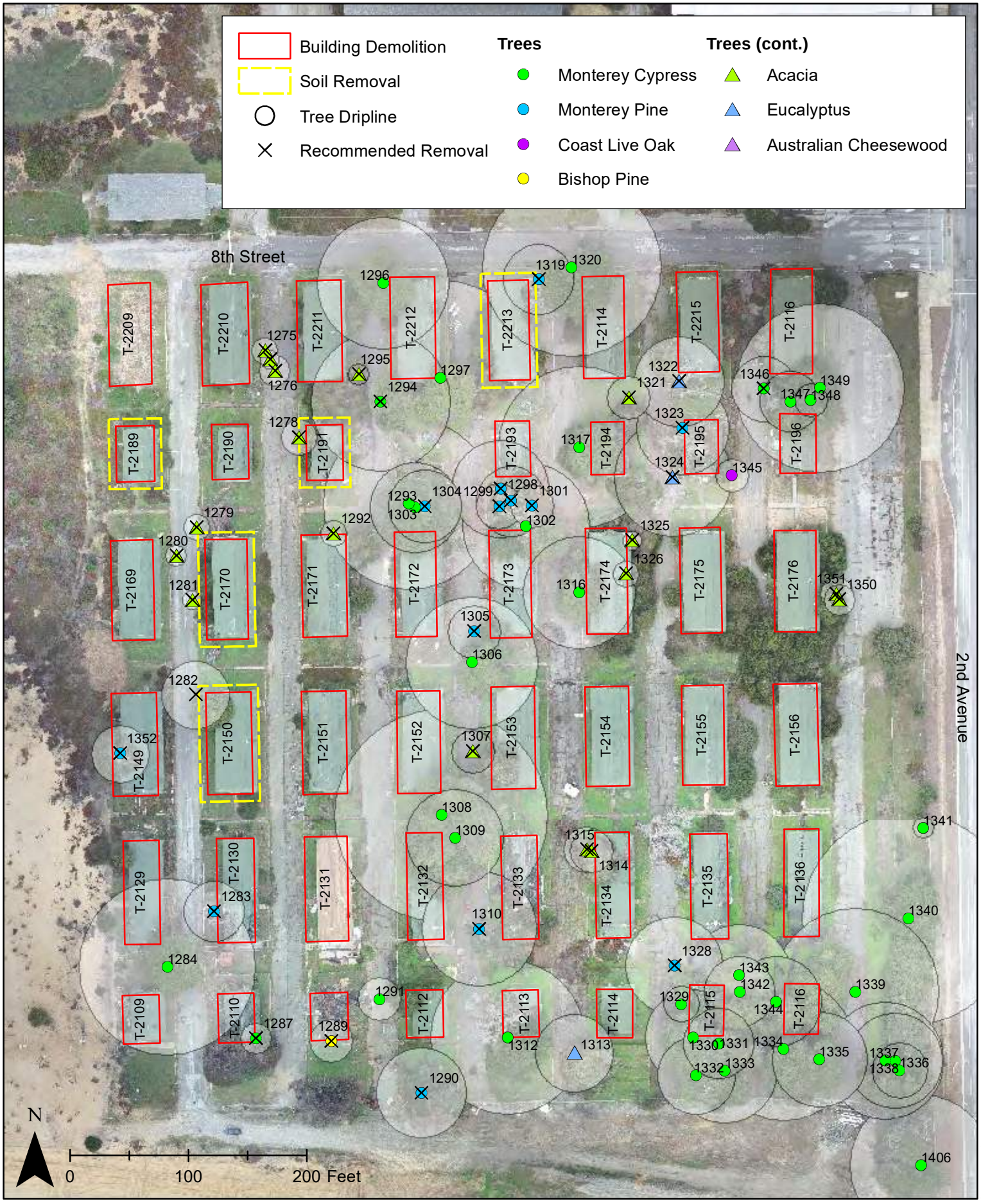
GPS data were collected using a Trimble® TDC600 GPS and were then digitized using Trimble® TerraFlex and ESRI® ArcGIS 10.4. GPS data were collected using geographic coordinate system Universal Transverse Mercator (UTM) Zone 10 North and the World Geodetic System 1984 (WGS84) datum.

2021 Tree Survey

On December 20, 2021, DD&A biologists (led by ISA Certified Arborist Patric Krabacher) conducted a survey of the project site to determine any changed circumstances since the 2019 tree inventory was prepared. The survey included updating the health class of trees and determining which trees may need to be removed to facilitate the remediation and demolition phase of the proposed project.

## RESULTS

DD&A inventoried 72 trees in the vicinity of the buildings proposed for demolition, including 36 Monterey cypresses (*Hesperocyparis macrocarpa*), 17 acacias (*Acacia* sp.), 13 Monterey pines (*Pinus radiata*), three (3) Eucalyptus (*Eucalyptus* sp.), one (1) coast live oak (*Quercus agrifolia*), one (1) Bishop pine (*Pinus muricata*), and one (1) Australian cheesewood (*Pittosporum undulatum*) (**Figure 1**, **Appendix A**, and **Appendix B**). Most trees are in average vigor for the area; however, 18 trees are dead or are in poor condition and showing severe signs of decay, disease, and insect infestations, including pitch canker (*Fusarium circinatum*), oak branch canker, foamy bark canker, oak ambrosia beetles, and *Phytophthora* root and crown rot (**Appendix A** and **Appendix B**). No symptoms of sudden oak death were observed.




# Tree Survey Results

| Date | Scale | Figure |
|---|---|---|
| 2/17/2022 | 1 in = 100 ft | 1 |

**Denise Duffy & Associates, Inc.**
Planning and Environmental Consulting

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## DISCUSSION

Per conversations with Wallace Group, the City's engineering consultant for the project, excavation due to building demolition in the proposed City Park would be limited to three (3) inches deep within the footprints of all existing 47 buildings (to remove debris) and excavation due to soil remediation would extend to six (6) inches deep and six (6) feet out from five buildings (buildings T-2150, T-2170, T-2189, T-2191, and T-2213).

Due to the shallow depth of excavation required for demolition, demolition is not likely to significantly impact the dripline of any adjacent tree and tree removal would not be required to successful implement this portion of project; however, it is recommended that trees whose canopies overlap or abut buildings are limbed or trimmed prior to demolition. In accordance with the City's Tree Protection Guidelines and with California Fish and Game Code, the following measures are recommended to avoid or minimize impacts potential adverse impacts resulting from tree trimming:

1. Trimming must conform to the guidelines and best management practices established in **Appendix C**, must be performed by a qualified tree removal contractor, and must not remove more than 30 percent of any one tree's canopy. Trees shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.
2. Work should be timed to avoid the breeding and nesting season for raptors and other protected avian species. If work must occur during the avian breeding and nesting season (approximately February 1 through September 15), surveys for nesting birds shall be conducted no more than 15 days prior to project activities in all areas within 300 feet of the project footprint that may provide suitable nesting habitat. If nesting birds are identified during surveys, an appropriate buffer shall be imposed within which no work or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 16, when young are assumed fledged.

Due to the level of excavation required for soil remediation, tree removal would be required around buildings T-2150, T-2170, T-2189, T-2191, and T-2213 and would include the following trees:

- Tree 1278 (acacia in fair condition),
- Tree 1279 (acacia in fair condition),
- Tree 1281 (acacia in fair condition),
- Tree 1282 (Australian cheesewood in fair condition), and
- Tree 1319 (Monterey pine in poor condition).

Per UVSP Tree Standards, mitigation (i.e., replacement) would not be required for removal of these trees, which are non-native species or native trees in poor condition. However, in accordance with City Code, a tree removal permit from the City would be required to remove all living trees, including trees in poor condition. Therefore, a completed tree removal permit application for Trees 1278, 1279, 1281, 1282, and 1319 is included in this report as **Appendix D**. Tree removal must conform to any requirements established

by the City in the approved tree removal permit. In addition, it is recommended that Mitigation Measure 2, above, and the following mitigation be implemented as part of tree removal:

3. Pursuant to Section 17.62.030 of City Code, the project must comply with the City's Tree Protection Guidelines. To reduce impacts to trees not scheduled for removal, the tree removal contractor shall implement the best managements practices for working near trees established in **Appendix C**. Trees which will be retained on site shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.

Although not required to implement the project, it is also recommended that the remaining 14 acacia trees be removed due to this non-native species being a locally problematic plant which spreads quickly and is known to outcompete native species[1]. It is further recommended that the remaining 13 trees in poor condition (nine [9] Monterey pines, one [1] Monterey cypress, one [1] Bishop pine, and one [1] eucalyptus) and the remaining six (6) trees which are dead (three [3] Monterey pines, two [2] Monterey cypresses, and one [1] eucalyptus) be removed to maintain the health of the urban forest within City Park and to reduce tree-related hazards to persons or structures. See **Appendix A** for the complete list of trees which are recommended for removal.

Per UVSP Tree Standards, mitigation (i.e., replacement) would not be required for removal of these non-native or unhealthy trees. In addition, a tree removal permit would not be required to remove the seven (7) dead trees. However, in accordance with City Code, a tree removal permit from the City would be required to remove the 31 living trees. A completed tree removal permit application for these trees is included in this report as **Appendix D**. Tree removal must conform to any requirements established by the City in the tree removal permit. In addition, it is recommended that Mitigation Measures 2 and 3, above be implemented to avoid or minimize potential project impacts resulting from tree removal.

## CONCLUSION

To facilitate demolition of 47 buildings and soil remediation around five [5] of these buildings within the proposed City Park, it is recommended that trees directly adjacent to these buildings or trees withing the boundaries of soil remediation be limbed, trimmed, or removed prior to demolition. In addition, it is recommended that all non-native trees and/or trees in poor or dead be removed to prevent spread of non-native invasive species, maintain the health of the urban forest within City Park, and reduce tree-related hazards to persons or structures. A tree removal permit from the City is required to remove all living trees. A completed tree removal permit application for trees which are recommended for removal is included in this report as **Appendix D**. Implementation of the measures identified above and any additional measures established by the City in the tree removal permit would avoid or minimize potential impacts resulting from tree trimming, and removal.

If you have any comments or questions about this report, please contact Patric Krabacher at pkrabacher@ddaplanning.com or (831) 373-4341 ext. 29.

[1] Additional acacia and Australian cheesewood individuals occur within the project site; however, they are smaller than six (6) inches DBH and, as such, are not considered "trees" and were not inventoried as part of this report. It is recommended that all these plants be removed from the proposed City Park to reduce the spread of non-native species. A tree removal permit is not required for plants smaller than six (6) inches DBH.

# REFERENCES

David C. Chojnacky. 1999. Converting Tree Diameter Measured at Root Collar to Diameter at Beast Height.

# APPENDIX A

Tree Table

| Tree ID | Scientific Name | Common Name | Individual Stem DBH (in) | | | | Total DBH (in) | Dripline (ft) | Health | Recommendation |
|---|---|---|---|---|---|---|---|---|---|---|
| 1275 | *Acacia sp.* | Acacia | 9 | | | | 9 | 11 | Fair | Remove |
| 1276 | *Acacia sp.* | Acacia | 8 | 6 | | | 10 | 13 | Fair | Remove |
| 1277 | *Acacia sp.* | Acacia | 6 | | | | 6 | 8 | Fair | Remove |
| 1278 | *Acacia sp.* | Acacia | 6 | 6 | 6 | 6 | 12 | 15 | Fair | Remove |
| 1279 | *Acacia sp.* | Acacia | 9 | | | | 9 | 11 | Fair | Remove |
| 1280 | *Acacia sp.* | Acacia | 7 | | | | 7 | 9 | Fair | Remove |
| 1281 | *Acacia sp.* | Acacia | 6 | | | | 6 | 8 | Fair | Remove |
| 1282 | *Pittosporum undulatum* | Australian Cheesewood | 11 | 9 | 12 | 14 | 23 | 29 | Fair | Remove |
| 1283 | *Pinus radiata* | Monterey Pine | 21 | | | | 21 | 26 | Dead | Remove |
| 1284 | *Hesperocyparis macrocarpa* | Monterey Cypress | 60 | | | | 60 | 75 | Fair | Retain |
| 1287 | *Hesperocyparis macrocarpa* | Monterey Cypress | 6 | 6 | 6 | | 10 | 13 | Dead | Remove |
| 1289 | *Pinus muricata* | Bishop Pine | 15 | | | | 15 | 19 | Poor | Remove |
| 1290 | *Pinus radiata* | Monterey Pine | 30 | | | | 30 | 38 | Poor | Remove |
| 1291 | *Hesperocyparis macrocarpa* | Monterey Cypress | 10 | 8 | 6 | | 14 | 18 | Fair | Retain |
| 1292 | *Acacia sp.* | Acacia | 6 | 6 | | | 8 | 11 | Fair | Remove |
| 1293 | *Hesperocyparis macrocarpa* | Monterey Cypress | 58 | | | | 58 | 73 | Fair | Retain |
| 1294 | *Hesperocyparis macrocarpa* | Monterey Cypress | 47 | | | | 47 | 59 | Poor | Remove |
| 1295 | *Acacia sp.* | Acacia | 7 | | | | 7 | 9 | Fair | Remove |
| 1296 | *Hesperocyparis macrocarpa* | Monterey Cypress | 45 | | | | 45 | 56 | Fair | Retain |
| 1297 | *Hesperocyparis macrocarpa* | Monterey Cypress | 66 | | | | 66 | 83 | Fair | Retain |
| 1298 | *Pinus radiata* | Monterey Pine | 33 | | | | 33 | 41 | Poor | Remove |
| 1299 | *Pinus radiata* | Monterey Pine | 16 | | | | 16 | 20 | Poor | Remove |
| 1300 | *Pinus radiata* | Monterey Pine | 24 | | | | 24 | 30 | Poor | Remove |
| 1301 | *Pinus radiata* | Monterey Pine | 14 | | | | 14 | 18 | Dead | Remove |
| 1302 | *Hesperocyparis macrocarpa* | Monterey Cypress | 43 | | | | 43 | 54 | Fair | Retain |
| 1303 | *Hesperocyparis macrocarpa* | Monterey Cypress | 30 | | | | 30 | 38 | Fair | Retain |
| 1304 | *Pinus radiata* | Monterey Pine | 25 | | | | 25 | 31 | Poor | Remove |
| 1305 | *Pinus radiata* | Monterey Pine | 18 | | | | 18 | 23 | Poor | Remove |
| 1306 | *Hesperocyparis macrocarpa* | Monterey Cypress | 45 | | | | 45 | 56 | Fair | Retain |
| 1307 | *Acacia sp.* | Acacia | 15 | | | | 15 | 19 | Fair | Remove |
| 1308 | *Hesperocyparis macrocarpa* | Monterey Cypress | 72 | | | | 72 | 90 | Fair | Retain |
| 1309 | *Hesperocyparis macrocarpa* | Monterey Cypress | 33 | | | | 33 | 41 | Fair | Retain |
| 1310 | *Pinus radiata* | Monterey Pine | 39 | | | | 39 | 49 | Poor | Remove |
| 1312 | *Hesperocyparis macrocarpa* | Monterey Cypress | 52 | | | | 52 | 65 | Fair | Retain |

| *Tree ID* | *Scientific Name* | *Common Name* | *Individual Stem DBH (in)* | | | | *Total DBH (in)* | *Dripline (ft)* | *Health* | *Recommendation* |
|---|---|---|---|---|---|---|---|---|---|---|
| *1313* | *Eucalyptus sp.* | Eucalyptus | 17 | 20 | | | 26 | 33 | Fair | Retain |
| *1314* | *Acacia sp.* | Acacia | 15 | | | | 15 | 19 | Fair | Remove |
| *1315* | *Acacia sp.* | Acacia | 16 | | | | 16 | 20 | Fair | Remove |
| *1316* | *Hesperocyparis macrocarpa* | Monterey Cypress | 24 | 30 | | | 38 | 48 | Fair | Retain |
| *1317* | *Hesperocyparis macrocarpa* | Monterey Cypress | 54 | | | | 54 | 68 | Fair | Retain |
| *1319* | *Pinus radiata* | Monterey Pine | 24 | | | | 24 | 30 | Poor | Remove |
| *1320* | *Hesperocyparis macrocarpa* | Monterey Cypress | 61 | | | | 61 | 76 | Fair | Retain |
| *1321* | *Acacia sp.* | Acacia | 6 | 11 | 9 | | 15 | 19 | Fair | Remove |
| *1322* | *Eucalyptus sp.* | Eucalyptus | 30 | | | | 30 | 38 | Dead | Remove |
| *1323* | *Pinus radiata* | Monterey Pine | 31 | | | | 31 | 39 | Poor | Remove |
| *1324* | *Eucalyptus sp.* | Eucalyptus | 40 | | | | 40 | 50 | Poor | Remove |
| *1325* | *Acacia sp.* | Acacia | 6 | | | | 6 | 8 | Fair | Remove |
| *1326* | *Acacia sp.* | Acacia | 6 | 6 | | | 8 | 11 | Fair | Remove |
| *1328* | *Pinus radiata* | Monterey Pine | 33 | | | | 33 | 41 | Dead | Remove |
| *1329* | *Hesperocyparis macrocarpa* | Monterey Cypress | 12 | | | | 12 | 15 | Fair | Retain |
| *1330* | *Hesperocyparis macrocarpa* | Monterey Cypress | 32 | | | | 32 | 40 | Fair | Retain |
| *1331* | *Hesperocyparis macrocarpa* | Monterey Cypress | 24 | | | | 24 | 30 | Fair | Retain |
| *1332* | *Hesperocyparis macrocarpa* | Monterey Cypress | 26 | | | | 26 | 33 | Fair | Retain |
| *1333* | *Hesperocyparis macrocarpa* | Monterey Cypress | 36 | | | | 36 | 45 | Fair | Retain |
| *1334* | *Hesperocyparis macrocarpa* | Monterey Cypress | 48 | | | | 48 | 60 | Fair | Retain |
| *1335* | *Hesperocyparis macrocarpa* | Monterey Cypress | 32 | | | | 32 | 40 | Fair | Retain |
| *1336* | *Hesperocyparis macrocarpa* | Monterey Cypress | 19 | | | | 19 | 24 | Fair | Retain |
| *1337* | *Hesperocyparis macrocarpa* | Monterey Cypress | 30 | 18 | 13 | 15 | 40 | 50 | Fair | Retain |
| *1338* | *Hesperocyparis macrocarpa* | Monterey Cypress | 32 | | | | 32 | 40 | Fair | Retain |
| *1339* | *Hesperocyparis macrocarpa* | Monterey Cypress | 32 | 40 | 25 | | 57 | 71 | Fair | Retain |
| *1340* | *Hesperocyparis macrocarpa* | Monterey Cypress | 72 | | | | 72 | 90 | Fair | Retain |
| *1341* | *Hesperocyparis macrocarpa* | Monterey Cypress | 7 | | | | 7 | 9 | Good | Retain |
| *1342* | *Hesperocyparis macrocarpa* | Monterey Cypress | 24 | | | | 24 | 30 | Fair | Retain |
| *1343* | *Hesperocyparis macrocarpa* | Monterey Cypress | 35 | | | | 35 | 44 | Fair | Retain |
| *1344* | *Hesperocyparis macrocarpa* | Monterey Cypress | 30 | | | | 30 | 38 | Fair | Retain |
| *1345* | *Quercus agrifolia* | Coast Live Oak | 8 | 8 | | | 11 | 14 | Fair | Retain |
| *1346* | *Hesperocyparis macrocarpa* | Monterey Cypress | 22 | | | | 22 | 28 | Dead | Remove |
| *1347* | *Hesperocyparis macrocarpa* | Monterey Cypress | 10 | 18 | | | 21 | 26 | Fair | Retain |
| *1348* | *Hesperocyparis macrocarpa* | Monterey Cypress | 11 | | | | 11 | 14 | Fair | Retain |

| *Tree ID* | *Scientific Name* | *Common Name* | *Individual Stem DBH (in)* | | | | *Total DBH (in)* | *Dripline (ft)* | *Health* | *Recommendation* |
|---|---|---|---|---|---|---|---|---|---|---|
| *1349* | *Hesperocyparis macrocarpa* | Monterey Cypress | 34 | 36 | 28 | 10 | 58 | 72 | Fair | Retain |
| *1350* | *Acacia sp.* | Acacia | 8 | 6 | | | 10 | 13 | Fair | Remove |
| *1351* | *Acacia sp.* | Acacia | 8 | 8 | | | 11 | 14 | Fair | Remove |
| *1352* | *Pinus radiata* | Monterey Pine | 20 | | | | 20 | 25 | Poor | Remove |

# APPENDIX B

Photo Log

Photo 1. Tree 1290

Photo 2. Tree 1300

Photo 3. Tree 1292

Photo 4. Tree 1294

Photo 5. Tree 1295

Photo 6. Tree 1299

Photo 7. Tree 1289

Photo 8. Tree 1304

Photo 9. Tree 1305

Photo 10. Tree 1307

Photo 11. Tree 1310

Photo 12. Tree 1314

Photo 13. Tree 1315

Photo 14. Tree 1282

Photo 15. Tree 1319

Photo 16. Tree 1321

Photo 17. Tree 1352

Photo 18. Tree 1323

Photo 19. Tree 1324

Photo 20. Tree 1325

Photo 21. Tree 1326

Photo 22. Tree 1350

Photo 23. Tree 1351

Photo 24. Tree 1278

Photo 25. Tree 1275

Photo 26. Tree 1276

Photo 27. Tree 1277

Photo 28. Tree 1281

Photo 29. Tree 1279

Photo 30. Tree 1280

Photo 31. Tree 1298

# APPENDIX C

Best Management Practices

# BEST MANAGEMENT PRACTICES WHEN WORKING NEAR TREES

Best Management Practices

The following BMPs are recommended to reduce impacts to trees:

- 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 critical rootzone or dripline may encourage the development of oak rot fungus (*Armillaria mellea*). As necessary, trees may be protected by boards, fencing or other materials to delineate protection zones.
- Pruning shall be conducted to avoid unnecessary injuries to 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.
- Native live oaks are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the critical rootzone or dripline of oaks. Native, locally adapted, drought resistant species are the most compatible with this goal.
- Root cutting should occur outside of the springtime. Ideal time for root pruning will take place late June and July. Pruning of the live crown should not occur February through May.
- Oak material greater than 3 inches in diameter remaining on site more than one month that is not cut and split into firewood should be covered with thick clear plastic that is dug in securely around the pile. This will discourage infestation and dispersion of bark beetles.
- A mulch layer up to approximately 4 inches deep may be applied to the ground under selected oaks 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.

Tree Protection Standards:

- All trees scheduled for preservation which may be at risk of injury or harm during the removal of trees approved for removal or during grading, trenching or other activities associated with the development or use of a property shall be temporarily fenced during such tree during such activities. Fencing shall be installed prior to the beginning of tree removals, grading or building. Fencing shall be installed at the edge of the root zone unless alternate location is determined essential to the construction of the project as approved. The root zone is determined to be the area located within a distance of 15 times the trunk diameter in all directions. Fencing shall consist of chain link or plastic link fence, rigidly supported and maintained during all construction at a minimum height of 4' 0" above grade. Removal of fencing shall only be at the direction of the City planning department. All trees to be fenced shall be clearly marked to notify all personnel and city inspectors that the subject tree(s) are to be fenced at all times during construction.
- Fenced areas shall not be used for material stockpile, storage or vehicle parking. Dumping of materials, chemicals or garbage shall be prohibited within the fenced area. Fenced areas shall be maintained in a natural condition and not compacted. Fenced areas shall be maintained at natural or existing grade.

- Utility and drain lines shall be located outside the root zone of all preserved trees unless essential to develop property as approved. Where alternative routes are not available, any digging or trenching necessary for utility conduit, pipe, wire and drain lines shall not cut any major root. Major roots are those with a diameter of 2 inches or more. Utility lines shall not be within 3 feet of the trunk of any tree.

- All approved construction within the root zone shall observe the following construction practices:
    1. Hand trenching at point or line of grade cuts closest to the trunk to expose major roots 2" or more in diameter.
    2. In cases where rock or unusually dense soil prevents hand trenching, mechanical trenching may be permitted provided that work inside the dripline is closely supervised to prevent tearing or other damage to major roots.
    3. Exposed major roots shall be cut with a saw to form a smooth surface and avoid tearing or jagged edges.
    4. Absorbent tarp or heavy cloth fabric shall be placed over grade cuts where roots are exposed and secured with stakes and 2" to 4" of compost or wood chips spread over the tarp to prevent moisture loss. Care shall be taken that moisture levels beneath tarped areas remain comparable to surrounding areas until backfilling occurs. Some watering of these areas may be necessary to maintain moisture levels, and such measures shall remain in effect through all phases of construction, including all delays and other periods of inactivity.

Tree Pruning

Pruning is to be minimal but performed only when necessary in accordance to American National Safety Institute ANSI A300 Pruning Standards. Pruning may include the larger canopied trees that have deadwood or are exhibiting some minor structural defect or minor disease that must be compensated. Should the health and vigor of any tree decline it will be treated as appropriately recommended by a certified arborist or qualified forester.

The following are offered as guidelines when pruning;

- In general trees will be assessed then pruned first for safety, next for health, and finally for aesthetics. No more than 25% of the tree overall crown will be pruned in one season.
- Type of pruning is determined by the size of branches to be removed. General guidelines for branch removal are:

    1. Fine Detail pruning-limbs under 2-inch diameter are removed
    2. Medium Detail Pruning–Limbs between 2- and 4-inch diameter
    3. Structural Enhancement–limbs greater than 4-inch diameter.
    4. Broken and cracked limbs-removed will be removed in high traffic areas of concern.

Crown thinning is the cleaning out of or removal of dead diseased, weakly attached, or low vigor branches from a tree crown and consist of the following steps:

- All trees will be pre-assessed on how the tree will be pruned from the top down.

- Tree trimmers will favor branches with strong, U-shaped angles of attachment and where possible remove branches with weak, V-shaped angles of attachment and/or included bark.
- Lateral branches will be evenly spaced on the main stem of young trees and areas of fine pruning.
- Branches that rub or cross another branch will be removed where possible.
- Lateral branches will be no more than one-half to three-quarters of the diameter of the stem to discourage the development of co-dominant stems where feasible.
- In most cases trimmers will not remove more than one-quarter of the living crown of a tree at one time. If it is necessary to remove more, it will be done over successive years.

Crown-raising removes the lower branches of a tree to provide clearance for buildings, vehicles, pedestrians and vistas and performed as follows:

- Live branches on at least two-thirds of a tree's total height will be maintained wherever possible. The removal of too many lower branches will hinder the development of a strong stem.
- All basal sprouts and vigorous epicormic sprouts will be removed where feasible.

Crown reduction is used to reduce the height and/or spread of trees and is used for maintaining the structural integrity and natural form of a tree and conducted as follows:

- Crown reduction pruning is used only when absolutely necessary. Pruning cuts will be at a lateral branch that is at least one-third the diameter of the stem to be removed wherever possible.
- When it is necessary to remove more than half of the foliage from a branch it may be necessary remove the entire branch.

Crown restoration is used to improve the structure and appearance of trees that have been topped or severely pruned using heading cuts. One of three sprouts on main branch stubs should be selected to reform a natural appearing crown. Selected vigorous sprouts may need to be thinned to ensure adequate attachment for the size of the sprout. Restoration may require several years of pruning.

# APPENDIX D

Tree Removal Application

# City of Marina

*City of Marina*
Community Development Department
Mailing: 211 HILLCREST AVENUE
Office: 209 CYPRESS AVENUE
MARINA, CA 93933
831.884.1220; FAX 831.384.0425
www.cityofmarina.org

## PLANNING APPLICATION

**Project Address/Location:** Remediation/Demo at City Park **APN:** _____

**Applicant(s):**

Name: City of Marina

Mailing Address: _____

Phone: _____ Email: _____

**Property Owner:**

Name: SAME AS ABOVE

Mailing Address: _____

Phone: _____ Email: _____

**Project Description: What do you want to do?**

Remove 37 trees to facilitate the project and maintain health and safety of the urban forest in City Park.

**Property Owner Authorization:**
By signing this application I certify that I have reviewed this completed application and the attached material and consent to its filing. I agree to allow the Community Development Department to duplicate and distribute plans to interested persons as it determines is necessary for the processing of the application.

Signed Date

**Applicant/Representative Certification:**
I understand the City might not approve what I am applying for or might set conditions of approval. I agree to allow the Community Development Department to duplicate and distribute plans to interested persons as it determines is necessary for processing of the application.

Signed Date

**Permission to Access Property**
This section is to be completed by the **property owner** and/or occupant who controls access to the property. To adequately evaluate many project proposals Community Development Department Staff, Commissioners and City Council Members will have to gain access to the exterior of the real property in order to adequately review and report on the proposed project. Your signature below certifies that you agree to give the City permission to access the project site from 8 a.m. to 5 p.m., Monday through Friday, as part of the normal review of this planning application.

Signed Date

**Indemnification Agreement:**
The Owner/Applicant shall defend, indemnify and hold harmless the City or its agents or officers and employees from any claim, action or proceeding against the City or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the City's approval of this project. In the event that the City fails to promptly notify the Owner / Applicant of any such claim, action or proceeding, or that the City fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

Signed Date

**FOR OFFICE USE ONLY:**
Date Application Submitted: _____ Fee Collected: $_____
Date Application Complete: _____ Receipt Number: _____
File Number(s): _____
Planner Initials: _____ Associated Permits: _____

**DENISE DUFFY & ASSOCIATES, INC.**
PLANNING AND ENVIRONMENTAL CONSULTING

# MEMORANDUM

Date: February 15, 2022

To: Brian McMinn, Public Works Director/City Engineer
City of Marina

From: Patric Krabacher, ISA Certified Arborist 11759
Denise Duffy & Associates, Inc.

**RE: Arborist Report for the City of Marina Blight Removal Project 2022 – Cypress Knolls**

Denise Duffy & Associates, Inc. (DD&A) is contracted by the City of Marina (City) to provide on-call environmental consulting services for City projects. In support of the Blight Removal Phase of the Cypress Knolls Project (project or proposed project), located within City limits and the Former Fort Ord, DD&A conducted an inventory of trees within the vicinity of 31 buildings which are proposed for demolition. This Arborist Report documents the results of the tree inventory, recommends tree removal where necessary to facilitate remediation and demolition, and recommends mitigation to avoid, minimize, or mitigate potential adverse impacts of tree removal or trimming.

## METHODS

### Limitations

This report only identifies potential project impacts to trees and potential adverse impacts resulting from tree removal; no other protected or sensitive biological resources are addressed. To determine potential project impacts to other sensitive biological resources (i.e., sensitive habitats, special-status plants, and special-status wildlife), additional analysis (e.g., biological resources study, focused botanical surveys, and protocol wildlife surveys) may be required.

It is not the intent of this report to provide 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 within the site. In addition to an inspection of the property, DD&A relied on information provided by the City and/or the City's consultants (e.g., survey boundaries, property boundaries, project description) to prepare this report, and must reasonably rely on the accuracy of the information provided. DD&A shall not be responsible for another's means, methods, techniques, schedules, or procedures, or for contractor safety or any other related programs, or for another's failure to complete work in accordance with approved plans and specifications.

## Regulatory Setting

City of Marina Municipal Code

Marina Municipal Code (MMC or City Code) Section 17.62.030 requires a tree removal permit to remove, damage, or relocate, or cause to be removed, damaged, or relocated any tree on any property within City limits, unless exempted by MMC Sections 17.62.040 or 17.62.050. MMC Section 17.62.030 also prohibits construction activities within the dripline of any tree, unless these activities are conducted in compliance with tree protection guidelines adopted by resolution of the planning commission.

City Code defines "tree" as any living woody perennial plant having a single stem of six inches or more diameter at breast height (DBH) or a multi-stemmed plant having an aggregate diameter of ten inches or more measured at DBH, and any living woody perennial plant which was planted in accordance with requirements of an approved compensation plan or was planted as part of a landscaping plan approved by the City. MMC defines "dripline" as the greater of the outermost edge of the tree's canopy, or fifteen times DBH measured from the center point of the tree.

California Fish and Game Code

Section 3503 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits take or possession of fully protected birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal Migratory Bird Treaty Act. Section 3800 prohibits take of nongame birds.

## Survey Methods

DD&A biologists, led by ISA Certified Arborist Patric Krabacher, conducted an inventory of trees within the vicinity of buildings which are proposed for demolition on December 20, 2021. The tree inventory included the mapping and tagging of all trees, as defined by MCC Chapter 17.62, within the survey area. Trees were inventoried in accordance with the with the following protocol:

- All trees 6" diameter at breast height (DBH) or greater were tagged with a global positioning system (GPS) location and a numbered aluminum marker (on the most feasible/visible location possible). If a tree was already tagged as part of a previous survey effort, the existing tag number was recorded.
- Diameter was recorded at breast height (4.5 feet above ground) or, for multi-stemmed trees, at the most representable location.
- Multi-stemmed trees were recorded as one tree if the root crown (the point where the trunk meets natural grade) was contiguous. Multi-stemmed tree DBH was calculated by taking the square root of the squared sum of all stems measured ($\sqrt{[\text{Stem 1 DHB}^2 + \text{Stem 2 DBH}^2 + \text{Stem 3 DBH}^2 ...]}$). This equation returns the diameter at the base of the tree (Chojnacky, 1999).
- Species, size, health class, and photographs were recorded for each tree. Tree health was recorded based on the following definitions:

- *Good.* Tree is healthy and vigorous, as indicated by foliage color and density, and has no apparent signs of insect, disease, structural defects, or mechanical injury. Tree has good form and structure.
- *Fair.* Tree is in average condition and vigor for the area, but may show minor insect, disease, or physiological problems. Trees in fair condition may be improved with correctional pruning.
- *Poor.* Tree is in a general state of decline. Tree may show severe structural or mechanical defects which may lead to failure, and may have insect or disease damage, but is not dead.

Tree health was evaluated by visually inspecting each tree from its root crown to its foliar canopy for signs of decay, disease, or insect infestations. In accordance with MMC's definition of a "tree," dead trees were not inventoried.

GPS data were collected using a Trimble® Geo 7 Series GPS and were then digitized using Trimble® GPS Pathfinder and ESRI® ArcGIS 10.4. GPS data were collected using geographic coordinate system Universal Transverse Mercator (UTM) Zone 10 North and the World Geodetic System 1984 (WGS84) datum.

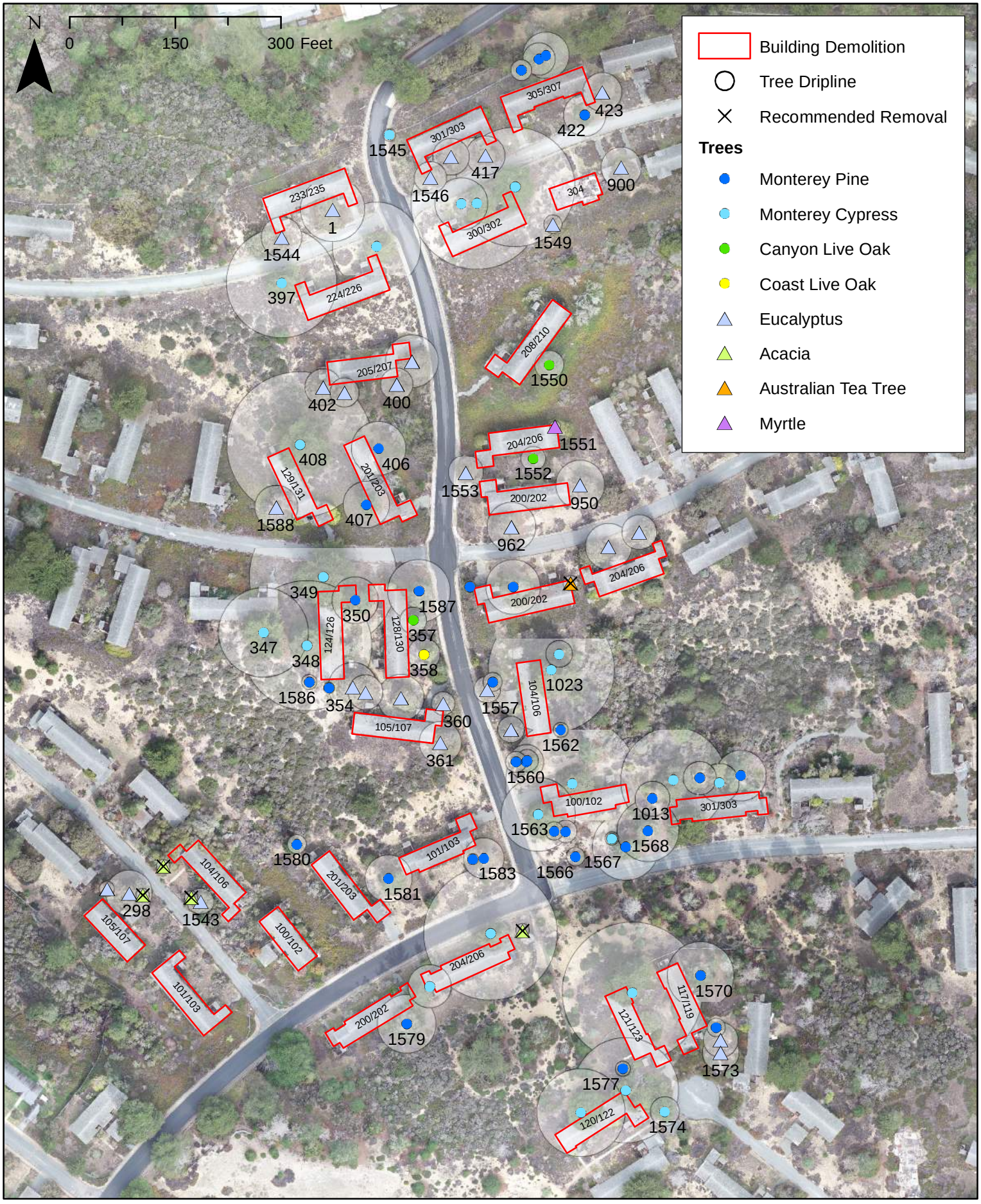
## RESULTS

DD&A inventoried 96 trees in the vicinity of the buildings proposed for demolition, including 33 Monterey pines (*Pinus radiata*), 30 Eucalyptus (*Eucalyptus* sp.), 23 Monterey cypresses (*Hesperocyparis macrocarpa*), four (4) acacia (*Acacia* sp.), three (3) canyon live oaks (*Quercus chrysolepis*), one (1) coast live oak (*Quercus agrifolia*), one (1) Australian tea tree (*Leptospermum laevigatum*), and one (1) myrtle (*Myrtus* sp.) (**Figure 1**, **Appendix A**, and **Appendix B**). Most trees are in average vigor for the area but are showing signs of decay, disease, and insect infestations, including pitch canker (*Fusarium circinatum*), oak branch canker, foamy bark canker, oak ambrosia beetles, and *Phytophthora* root and crown rot. No symptoms of sudden oak death were observed.

## DISCUSSION

Per conversations with Wallace Group, the City's engineering consultant for the project, demolition and excavation at Cypress Knolls would be limited to three (3) inches deep within the existing building footprints. Due to the shallow depth of excavation, demolition is not likely to significantly impact the dripline of any adjacent tree and tree removal is not required to successful implement the project. However, it is recommended that trees whose canopies overlap or abut buildings are trimmed prior to demolition. In accordance with the City's Tree Protection Guidelines and with California Fish and Game Code, the following measures are recommended to avoid or minimize impacts potential adverse impacts resulting from tree trimming:

1. Trimming must conform to the guidelines and best management practices established in **Appendix C**, must be performed by a qualified tree removal contractor, and must not remove more than 30 percent of any one tree's canopy. Trees shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.




# Tree Survey Results

| Date | Scale | Figure |
|---|---|---|
| 2/17/2022 | 1 in = 200 ft | 1 |

**Denise Duffy & Associates, Inc.**
Planning and Environmental Consulting

Path: C:\GIS\GIS Projects\2021-72 City of Marina On-Call\Final Products\Cypress Knolls\Trees.mxd

2. Work should be timed to avoid the breeding and nesting season for raptors and other protected avian species. If work must occur during the avian breeding and nesting season (approximately February 1 through September 15), surveys for nesting birds shall be conducted no more than 15 days prior to project activities in all areas within 300 feet of the project footprint that may provide suitable nesting habitat. If nesting birds are identified during surveys, an appropriate buffer shall be imposed within which no work or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 16, when young are assumed fledged.

Although not required to implement the project, it is recommended that the four (4) acacia trees and the one (1) Australian tea tree within the survey area be removed; these non-native species are locally problematic plants which spreads quickly and outcompetes native species. In addition, the Australian tea tree is exhibiting an extreme lean and may therefore pose a hazard to persons or structures. Per City Code, a tree removal permit from the City would be required to remove these trees. A completed tree removal permit application is included in this report as **Appendix D**. Tree removal must conform to any requirements established by the City in the tree removal permit. In addition, it is recommended that Mitigation Measure 2, above, and the following mitigation be implemented as part of tree removal:

3. Pursuant to Section 17.62.030 of City Code, the project must comply with the City's Tree Protection Guidelines. To reduce impacts to trees not scheduled for removal, the tree removal contractor shall implement the best managements practices for working near trees established in **Appendix C**. Trees which will be retained on site shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.

## CONCLUSION

To facilitate demolition of 31 buildings within the Cypress Knolls development area, it is recommended that trees directly adjacent to these buildings be trimmed prior to demolition. In addition, it is recommended that four (4) acacia trees and one (1) Australian tea tree be removed to prevent the spread of invasive species and/or to remove a potential hazard. A tree removal permit from the City is required to remove these five (5) trees. Implementation of the measures identified above and any additional measures established by the City in the tree removal permit would mitigate, avoid, or minimize potential impacts resulting from tree trimming, and removal.

If you have any comments or questions about this report, please contact Patric Krabacher at pkrabacher@ddaplanning.com or (831) 373-4341 ext. 29.

## REFERENCES

David C. Chojnacky. 1999. Converting Tree Diameter Measured at Root Collar to Diameter at Beast Height.

# APPENDIX A

Tree Table

| Tag | Scientific Name | Common Name | Individual Stem DBH (in) | | | | Total DBH (in) | Dripline (ft) | Health | Recommendation |
|---|---|---|---|---|---|---|---|---|---|---|
| 1 | *Eucalyptus* sp. | Eucalyptus | 37 | | | | 37 | 46 | Fair | Retain |
| 298 | *Eucalyptus* sp. | Eucalyptus | 16 | 13 | 16 | | 26 | 33 | Fair | Retain |
| 347 | *Hesperocyparis macrocarpa* | Monterey Cypress | 51 | | | | 51 | 64 | Fair | Retain |
| 348 | *Hesperocyparis macrocarpa* | Monterey Cypress | 74 | | | | 74 | 93 | Fair | Retain |
| 349 | *Hesperocyparis macrocarpa* | Monterey Cypress | 84 | | | | 84 | 105 | Fair | Retain |
| 350 | *Pinus radiata* | Monterey Pine | 26 | | | | 26 | 33 | Fair | Retain |
| 354 | *Eucalyptus* sp. | Eucalyptus | 24 | 14 | | | 28 | 35 | Fair | Retain |
| 357 | *Quercus chrysolepis* | Canyon Live Oak | 15 | | | | 15 | 19 | Fair | Retain |
| 358 | *Quercus agrifolia* | Coast Live Oak | 18 | | | | 18 | 23 | Fair | Retain |
| 359 | *Eucalyptus* sp. | Eucalyptus | 25 | 8 | | | 26 | 33 | Fair | Retain |
| 360 | *Eucalyptus* sp. | Eucalyptus | 6 | 6 | 7 | 8 | 14 | 17 | Fair | Retain |
| 361 | *Eucalyptus* sp. | Eucalyptus | 24 | | | | 24 | 30 | Fair | Retain |
| 397 | *Hesperocyparis macrocarpa* | Monterey Cypress | 52 | 36 | | | 63 | 79 | Fair | Retain |
| 398 | *Hesperocyparis macrocarpa* | Monterey Cypress | 50 | | | | 50 | 63 | Fair | Retain |
| 400 | *Eucalyptus* sp. | Eucalyptus | 18 | | | | 18 | 23 | Fair | Retain |
| 402 | *Eucalyptus* sp. | Eucalyptus | 10 | 12 | 14 | | 21 | 26 | Fair | Retain |
| 406 | *Pinus radiata* | Monterey Pine | 31 | | | | 31 | 39 | Poor | Retain |
| 407 | *Pinus radiata* | Monterey Pine | 26 | | | | 26 | 33 | Fair | Retain |
| 408 | *Hesperocyparis macrocarpa* | Monterey Cypress | 83 | | | | 83 | 104 | Fair | Retain |
| 417 | *Eucalyptus* sp. | Eucalyptus | 22 | | | | 22 | 28 | Poor | Retain |
| 419 | *Pinus radiata* | Monterey Pine | 18 | | | | 18 | 23 | Fair | Retain |
| 420 | *Pinus radiata* | Monterey Pine | 26 | | | | 26 | 33 | Fair | Retain |
| 422 | *Pinus radiata* | Monterey Pine | 24 | | | | 24 | 30 | Poor | Retain |
| 423 | *Eucalyptus* sp. | Eucalyptus | 16 | 16 | | | 23 | 28 | Fair | Retain |
| 896 | *Hesperocyparis macrocarpa* | Monterey Cypress | 30 | | | | 30 | 38 | Fair | Retain |
| 897 | *Hesperocyparis macrocarpa* | Monterey Cypress | 75 | | | | 75 | 94 | Fair | Retain |
| 898 | *Hesperocyparis macrocarpa* | Monterey Cypress | 68 | | | | 68 | 85 | Fair | Retain |
| 900 | *Eucalyptus* sp. | Eucalyptus | 23 | | | | 23 | 29 | Fair | Retain |
| 950 | *Eucalyptus* sp. | Eucalyptus | 28 | | | | 28 | 35 | Fair | Retain |
| 962 | *Eucalyptus* sp. | Eucalyptus | 28 | | | | 28 | 35 | Fair | Retain |
| 964 | *Pinus radiata* | Monterey Pine | 31 | | | | 31 | 39 | Fair | Retain |
| 965 | *Leptospermum laevigatum* | Australian Tea Tree | 9 | | | | 9 | 11 | Fair | Remove |
| 967 | *Eucalyptus* sp. | Eucalyptus | 26 | | | | 26 | 33 | Fair | Retain |
| 969 | *Eucalyptus* sp. | Eucalyptus | 16 | 12 | | | 20 | 25 | Fair | Retain |

| Tag | Scientific Name | Common Name | Individual Stem DBH (in) | | | | | | Total DBH (in) | Dripline (ft) | Health | Recommendation |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1009 | *Pinus radiata* | Monterey Pine | 29 | | | | | | 29 | 36 | Fair | Retain |
| 1010 | *Hesperocyparis macrocarpa* | Monterey Cypress | 22 | | | | | | 22 | 28 | Fair | Retain |
| 1011 | *Pinus radiata* | Monterey Pine | 19 | | | | | | 19 | 24 | Poor | Retain |
| 1013 | *Pinus radiata* | Monterey Pine | 20 | | | | | | 20 | 25 | Poor | Retain |
| 1017 | *Pinus radiata* | Monterey Pine | 13 | | | | | | 13 | 16 | Poor | Retain |
| 1019 | *Hesperocyparis macrocarpa* | Monterey Cypress | 76 | | | | | | 76 | 95 | Fair | Retain |
| 1023 | *Hesperocyparis macrocarpa* | Monterey Cypress | 44 | 40 | 30 | 28 | | | 72 | 90 | Fair | Retain |
| 1543 | *Eucalyptus* sp. | Eucalyptus | 15 | | | | | | 15 | 19 | Fair | Retain |
| 1544 | *Eucalyptus* sp. | Eucalyptus | 16 | 13 | 11 | | | | 23 | 29 | Fair | Retain |
| 1545 | *Hesperocyparis macrocarpa* | Monterey Cypress | 7 | | | | | | 7 | 9 | Fair | Retain |
| 1546 | *Eucalyptus* sp. | Eucalyptus | 12 | 14 | | | | | 18 | 23 | Fair | Retain |
| 1547 | *Eucalyptus* sp. | Eucalyptus | 21 | | | | | | 21 | 26 | Fair | Retain |
| 1548 | *Pinus radiata* | Monterey Pine | 12 | | | | | | 12 | 15 | Good | Retain |
| 1549 | *Eucalyptus* sp. | Eucalyptus | 6 | 6 | 6 | | | | 10 | 13 | Fair | Retain |
| 1550 | *Quercus chrysolepis* | Canyon Live Oak | 17 | | | | | | 17 | 21 | Fair | Retain |
| 1551 | *Myrtus* sp. | Myrtle | 6 | | | | | | 6 | 8 | Fair | Retain |
| 1552 | *Quercus chrysolepis* | Canyon Live Oak | 13 | 7 | | | | | 15 | 18 | Fair | Retain |
| 1553 | *Eucalyptus* sp. | Eucalyptus | 14 | 14 | | | | | 20 | 25 | Fair | Retain |
| 1554 | *Pinus radiata* | Monterey Pine | 6 | | | | | | 6 | 8 | Good | Retain |
| 1555 | *Hesperocyparis macrocarpa* | Monterey Cypress | 15 | | | | | | 15 | 19 | Good | Retain |
| 1556 | *Pinus radiata* | Monterey Pine | 11 | | | | | | 11 | 14 | Fair | Retain |
| 1557 | *Eucalyptus* sp. | Eucalyptus | 6 | 7 | 6 | 6 | 6 | 6 | 15 | 19 | Poor | Retain |
| 1558 | *Eucalyptus* sp. | Eucalyptus | 9 | 7 | 6 | 8 | | | 15 | 19 | Poor | Retain |
| 1559 | *Pinus radiata* | Monterey Pine | 12 | | | | | | 12 | 15 | Fair | Retain |
| 1560 | *Pinus radiata* | Monterey Pine | 15 | 13 | | | | | 20 | 25 | Fair | Retain |
| 1561 | *Pinus radiata* | Monterey Pine | 13 | | | | | | 13 | 16 | Fair | Retain |
| 1562 | *Pinus radiata* | Monterey Pine | 9 | | | | | | 9 | 11 | Fair | Retain |
| 1563 | *Hesperocyparis macrocarpa* | Monterey Cypress | 28 | 26 | 18 | | | | 42 | 53 | Fair | Retain |
| 1564 | *Pinus radiata* | Monterey Pine | 10 | | | | | | 10 | 13 | Poor | Retain |
| 1565 | *Hesperocyparis macrocarpa* | Monterey Cypress | 8 | | | | | | 8 | 10 | Fair | Retain |
| 1566 | *Pinus radiata* | Monterey Pine | 10 | | | | | | 10 | 13 | Fair | Retain |
| 1567 | *Pinus radiata* | Monterey Pine | 38 | | | | | | 38 | 48 | Poor | Retain |
| 1568 | *Pinus radiata* | Monterey Pine | 18 | 18 | 13 | 20 | | | 35 | 44 | Poor | Retain |
| 1569 | *Hesperocyparis macrocarpa* | Monterey Cypress | 60 | | | | | | 60 | 75 | Fair | Retain |

| Tag | Scientific Name | Common Name | Individual Stem DBH (in) | | | | Total DBH (in) | Dripline (ft) | Health | Recommendation |
|---|---|---|---|---|---|---|---|---|---|---|
| 1570 | *Pinus radiata* | Monterey Pine | 38 | | | | 38 | 48 | Poor | Retain |
| 1571 | *Pinus radiata* | Monterey Pine | 10 | | | | 10 | 13 | Fair | Retain |
| 1572 | *Eucalyptus* sp. | Eucalyptus | 20 | | | | 20 | 25 | Fair | Retain |
| 1573 | *Eucalyptus* sp. | Eucalyptus | 21 | | | | 21 | 26 | Fair | Retain |
| 1574 | *Hesperocyparis macrocarpa* | Monterey Cypress | 9 | 9 | 8 | 7 | 17 | 21 | Fair | Retain |
| 1575 | *Hesperocyparis macrocarpa* | Monterey Cypress | 50 | | | | 50 | 63 | Fair | Retain |
| 1576 | *Hesperocyparis macrocarpa* | Monterey Cypress | 60 | | | | 60 | 75 | Poor | Retain |
| 1577 | *Pinus radiata* | Monterey Pine | 9 | | | | 9 | 11 | Fair | Retain |
| 1578 | *Hesperocyparis macrocarpa* | Monterey Cypress | 25 | | | | 25 | 31 | Fair | Retain |
| 1579 | *Pinus radiata* | Monterey Pine | 30 | 15 | | | 34 | 42 | Fair | Retain |
| 1580 | *Pinus radiata* | Monterey Pine | 11 | | | | 11 | 14 | Fair | Retain |
| 1581 | *Pinus radiata* | Monterey Pine | 24 | 12 | | | 27 | 34 | Fair | Retain |
| 1582 | *Pinus radiata* | Monterey Pine | 6 | | | | 6 | 8 | Fair | Retain |
| 1583 | *Pinus radiata* | Monterey Pine | 7 | 9 | 20 | | 23 | 29 | Fair | Retain |
| 1584 | *Eucalyptus* sp. | Eucalyptus | 19 | 6 | | | 20 | 25 | Fair | Retain |
| 1585 | *Pinus radiata* | Monterey Pine | 6 | | | | 6 | 8 | Fair | Retain |
| 1586 | *Pinus radiata* | Monterey Pine | 9 | | | | 9 | 11 | Fair | Retain |
| 1587 | *Pinus radiata* | Monterey Pine | 36 | | | | 36 | 45 | Fair | Retain |
| 1588 | *Eucalyptus* sp. | Eucalyptus | 25 | | | | 25 | 31 | Fair | Retain |
| 1589 | *Eucalyptus* sp. | Eucalyptus | 12 | 12 | | | 17 | 21 | Fair | Retain |
| 1590 | *Eucalyptus* sp. | Eucalyptus | 26 | 14 | 6 | | 30 | 38 | Fair | Retain |
| 1614 | *Eucalyptus* sp. | Eucalyptus | 9 | | | | 9 | 11 | Fair | Retain |
| 1731 | *Hesperocyparis macrocarpa* | Monterey Cypress | 76 | | | | 76 | 95 | Fair | Retain |
| N/A* | *Acacia* sp. | Acacia | 8* | | | | 8 | 10 | Fair | Remove |
| N/A* | *Acacia* sp. | Acacia | 8* | | | | 8 | 10 | Fair | Remove |
| N/A* | *Acacia* sp. | Acacia | 8* | | | | 8 | 10 | Fair | Remove |
| N/A* | *Acacia* sp. | Acacia | 8* | | | | 8 | 10 | Fair | Remove |
| N/A* | *Hesperocyparis macrocarpa* | Monterey Cypress | 80* | | | | 80 | 100 | Fair | Retain |

* Due to homeless encampment, tree was not tagged and DBH was estimated.

# APPENDIX B

Photo Log

Photo 1. Tree 965

Photo 2. Approximately four (4) Acacia sp . proposed for removal. Due to homeless encampment, trees were not tagged and DBH was estimated.

# APPENDIX C

Best Management Practices

# BEST MANAGEMENT PRACTICES WHEN WORKING NEAR TREES

Best Management Practices

The following BMPs are recommended to reduce impacts to trees:

- 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 critical rootzone or dripline may encourage the development of oak rot fungus (*Armillaria mellea*). As necessary, trees may be protected by boards, fencing or other materials to delineate protection zones.
- Pruning shall be conducted to avoid unnecessary injuries to 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.
- Native live oaks are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the critical rootzone or dripline of oaks. Native, locally adapted, drought resistant species are the most compatible with this goal.
- Root cutting should occur outside of the springtime. Ideal time for root pruning will take place late June and July. Pruning of the live crown should not occur February through May.
- Oak material greater than 3 inches in diameter remaining on site more than one month that is not cut and split into firewood should be covered with thick clear plastic that is dug in securely around the pile. This will discourage infestation and dispersion of bark beetles.
- A mulch layer up to approximately 4 inches deep may be applied to the ground under selected oaks 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.

Tree Protection Standards:

- All trees scheduled for preservation which may be at risk of injury or harm during the removal of trees approved for removal or during grading, trenching or other activities associated with the development or use of a property shall be temporarily fenced during such tree during such activities. Fencing shall be installed prior to the beginning of tree removals, grading or building. Fencing shall be installed at the edge of the root zone unless alternate location is determined essential to the construction of the project as approved. The root zone is determined to be the area located within a distance of 15 times the trunk diameter in all directions. Fencing shall consist of chain link or plastic link fence, rigidly supported and maintained during all construction at a minimum height of 4' 0" above grade. Removal of fencing shall only be at the direction of the City planning department. All trees to be fenced shall be clearly marked to notify all personnel and city inspectors that the subject tree(s) are to be fenced at all times during construction.
- Fenced areas shall not be used for material stockpile, storage or vehicle parking. Dumping of materials, chemicals or garbage shall be prohibited within the fenced area. Fenced areas shall be maintained in a natural condition and not compacted. Fenced areas shall be maintained at natural or existing grade.

- Utility and drain lines shall be located outside the root zone of all preserved trees unless essential to develop property as approved. Where alternative routes are not available, any digging or trenching necessary for utility conduit, pipe, wire and drain lines shall not cut any major root. Major roots are those with a diameter of 2 inches or more. Utility lines shall not be within 3 feet of the trunk of any tree.

- All approved construction within the root zone shall observe the following construction practices:
    1. Hand trenching at point or line of grade cuts closest to the trunk to expose major roots 2" or more in diameter.
    2. In cases where rock or unusually dense soil prevents hand trenching, mechanical trenching may be permitted provided that work inside the dripline is closely supervised to prevent tearing or other damage to major roots.
    3. Exposed major roots shall be cut with a saw to form a smooth surface and avoid tearing or jagged edges.
    4. Absorbent tarp or heavy cloth fabric shall be placed over grade cuts where roots are exposed and secured with stakes and 2" to 4" of compost or wood chips spread over the tarp to prevent moisture loss. Care shall be taken that moisture levels beneath tarped areas remain comparable to surrounding areas until backfilling occurs. Some watering of these areas may be necessary to maintain moisture levels, and such measures shall remain in effect through all phases of construction, including all delays and other periods of inactivity.

Tree Pruning

Pruning is to be minimal but performed only when necessary in accordance to American National Safety Institute ANSI A300 Pruning Standards. Pruning may include the larger canopied trees that have deadwood or are exhibiting some minor structural defect or minor disease that must be compensated. Should the health and vigor of any tree decline it will be treated as appropriately recommended by a certified arborist or qualified forester.

The following are offered as guidelines when pruning;

- In general trees will be assessed then pruned first for safety, next for health, and finally for aesthetics. No more than 25% of the tree overall crown will be pruned in one season.
- Type of pruning is determined by the size of branches to be removed. General guidelines for branch removal are:

    1. Fine Detail pruning-limbs under 2-inch diameter are removed
    2. Medium Detail Pruning–Limbs between 2- and 4-inch diameter
    3. Structural Enhancement–limbs greater than 4-inch diameter.
    4. Broken and cracked limbs-removed will be removed in high traffic areas of concern.

Crown thinning is the cleaning out of or removal of dead diseased, weakly attached, or low vigor branches from a tree crown and consist of the following steps:

- All trees will be pre-assessed on how the tree will be pruned from the top down.

- Tree trimmers will favor branches with strong, U-shaped angles of attachment and where possible remove branches with weak, V-shaped angles of attachment and/or included bark.
- Lateral branches will be evenly spaced on the main stem of young trees and areas of fine pruning.
- Branches that rub or cross another branch will be removed where possible.
- Lateral branches will be no more than one-half to three-quarters of the diameter of the stem to discourage the development of co-dominant stems where feasible.
- In most cases trimmers will not remove more than one-quarter of the living crown of a tree at one time. If it is necessary to remove more, it will be done over successive years.

Crown-raising removes the lower branches of a tree to provide clearance for buildings, vehicles, pedestrians and vistas and performed as follows:

- Live branches on at least two-thirds of a tree's total height will be maintained wherever possible. The removal of too many lower branches will hinder the development of a strong stem.
- All basal sprouts and vigorous epicormic sprouts will be removed where feasible.

Crown reduction is used to reduce the height and/or spread of trees and is used for maintaining the structural integrity and natural form of a tree and conducted as follows:

- Crown reduction pruning is used only when absolutely necessary. Pruning cuts will be at a lateral branch that is at least one-third the diameter of the stem to be removed wherever possible.
- When it is necessary to remove more than half of the foliage from a branch it may be necessary remove the entire branch.

Crown restoration is used to improve the structure and appearance of trees that have been topped or severely pruned using heading cuts. One of three sprouts on main branch stubs should be selected to reform a natural appearing crown. Selected vigorous sprouts may need to be thinned to ensure adequate attachment for the size of the sprout. Restoration may require several years of pruning.

# APPENDIX D

Tree Removal Application

# City of Marina

*City of Marina*
Community Development Department
Mailing: 211 HILLCREST AVENUE
Office: 209 CYPRESS AVENUE
MARINA, CA 93933
831.884.1220; FAX 831.384.0425
www.cityofmarina.org

## PLANNING APPLICATION

**Project Address/Location:** City of Marina Blight Removal 2022 - Cypress Knolls **APN:** _____

**Applicant(s):**

Name: City of Marina

Mailing Address: _____

Phone: _____ Email: _____

**Property Owner:**

Name: SAME AS ABOVE

Mailing Address: _____

Phone: _____ Email: _____

**Project Description: What do you want to do?**

Remove four (4) acacia trees and one (1) Australian cheesewood tree.

**Property Owner Authorization:**
By signing this application I certify that I have reviewed this completed application and the attached material and consent to its filing. I agree to allow the Community Development Department to duplicate and distribute plans to interested persons as it determines is necessary for the processing of the application.

Signed Date

**Applicant/Representative Certification:**
I understand the City might not approve what I am applying for or might set conditions of approval. I agree to allow the Community Development Department to duplicate and distribute plans to interested persons as it determines is necessary for processing of the application.

Signed Date

**Permission to Access Property**
This section is to be completed by the **property owner** and/or occupant who controls access to the property. To adequately evaluate many project proposals Community Development Department Staff, Commissioners and City Council Members will have to gain access to the exterior of the real property in order to adequately review and report on the proposed project. Your signature below certifies that you agree to give the City permission to access the project site from 8 a.m. to 5 p.m., Monday through Friday, as part of the normal review of this planning application.

Signed Date

**Indemnification Agreement:**
The Owner/Applicant shall defend, indemnify and hold harmless the City or its agents or officers and employees from any claim, action or proceeding against the City or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the City's approval of this project. In the event that the City fails to promptly notify the Owner / Applicant of any such claim, action or proceeding, or that the City fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

Signed Date

**FOR OFFICE USE ONLY:**
Date Application Submitted: _____ Fee Collected: $_____
Date Application Complete: _____ Receipt Number: _____
File Number(s): _____
Planner Initials: _____ Associated Permits: _____

**DENISE DUFFY & ASSOCIATES, INC.**
PLANNING AND ENVIRONMENTAL CONSULTING

# MEMORANDUM

**Date:** February 16, 2022

**To:** Brian McMinn, Public Works Director/City Engineer
City of Marina

**From:** Patric Krabacher, Project Manager
Denise Duffy & Associates, Inc.

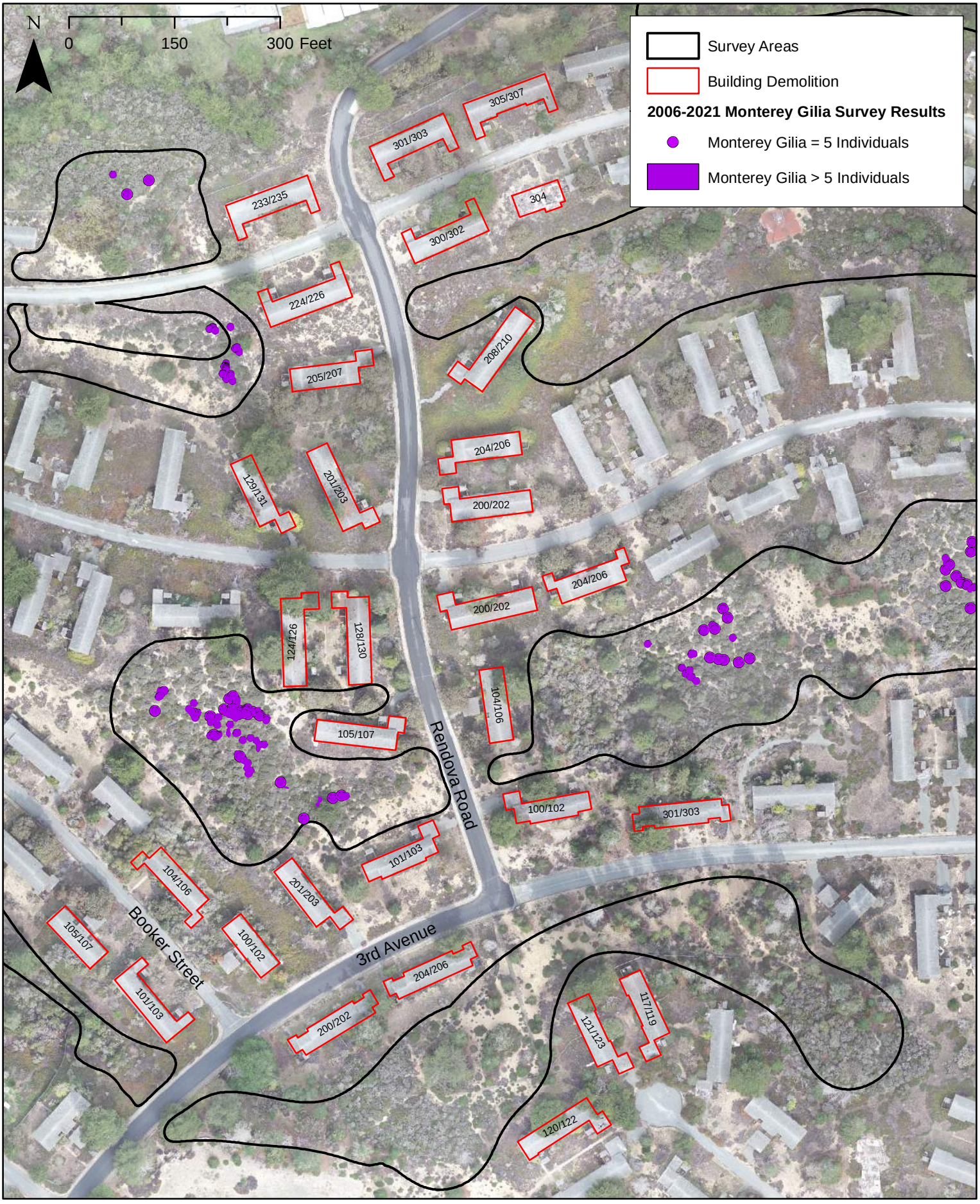
**RE: Compliance Memorandum for the City of Marina Blight Removal Project 2022 – Cypress Knolls**

---

Denise Duffy & Associates, Inc. (DD&A) is contracted by the City of Marina (City) to provide on-call environmental consulting services for City projects. The City is proposing to conduct demolition activities within the Cypress Knolls project site, as described in the *Cypress Knolls Tentative Tract Map and General Plan Amendment, Environmental Impact Report* (EIR) (Firma, 2006). The City requested that DD&A review the proposed demolition activities associated with the Blight Removal Phase of the Cypress Knolls Project (project) and identify the relevant biological mitigation measures required from the EIR that are applicable to the project. Based on our review, this Compliance Memorandum identifies the relevant biological mitigation measures that shall be implemented to reduce any potentially significant impacts to sensitive biological resources within the site in compliance with the EIR.

**Methods**

DD&A biologists conducted focused Monterey gilia (*Gilia tenuiflora* ssp. *arenaria*) surveys within Cypress Knolls between the months of April and June, between the years 2006 and 2021 following the applicable guidelines outlined in the U.S. Fish and Wildlife Service (Service) *Guidelines for Conducting and Reporting Botanical Inventories for Federally listed, Proposed and Candidate Plants* (Service, 2000), the California Department of Fish and Wildlife (CDFW) *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, 2018), and California Native Plant Society (CNPS) *Botanical Survey Guidelines* (CNPS, 2001). All special-status plant species identified were mapped using a Trimble Geo 7X GPS unit, which were later digitized using ArcGIS software. Populations of plants with more than five individuals were mapped as a polygon and the density of the population was documented. Densities were recorded as low (1-33% cover), medium (34-66% cover) and high (67-100% cover). Individual plants or populations of five or fewer individuals were mapped as a point and a count of the number of individual plants was documented. Populations included all individuals within approximately three feet of another individual; individual plants further away than three feet were mapped as a separate polygon or point. Data collected during the surveys was used to assess the environmental conditions of the project site and its surroundings, evaluate environmental constraints at the site and within the local vicinity, and provide a basis for recommendations to minimize and avoid impacts. Results from these survey efforts are presented in **Figure 1**.




# Monterey Gilia Survey Results 2006-2021

Date
2/16/2022

Scale
1 in = 200 ft

**Denise Duffy & Associates, Inc.**
Planning and Environmental Consulting

Figure
1

Path: C:\GIS\GIS Projects\2021-72 City of Marina On-Call\Final Products\Cypress Knolls\Monterey_Gilia.mxd

**Mitigation Measures**

The following biological mitigation measures required by the certified EIR shall be implemented during the project:

***Monterey gilia***

- ***Mitigation A-4***:
    - To avoid potential impacts to Monterey gilia until the City-wide Section 2081 ITP is issued, the following mitigation measures shall be implemented prior to the commencement of any ground-disturbing activities within the project site:
        - A qualified biologist shall direct the placement of protective fencing surrounding all documented Monterey gilia populations within the project, this may require a survey to be conducted prior to the onset of construction. No construction activities shall be allowed within the protective fencing.
        - Grading, excavating, and other activities that involve substantial soil disturbance shall be planned and carried out in consultation with a qualified hydrologist, engineer, or erosion control specialist, and shall utilize standard erosion control techniques to minimize erosion and sedimentation in the areas containing all documented Monterey gilia populations within the project.
        - No construction equipment shall be serviced or fueled within 50 feet of areas containing all documented Monterey gilia populations within the project.
        - Irrigation systems shall be designed to minimize runoff or irrigation water into all documented Monterey gilia populations within the project.
    - If construction activities must commence that will result in "take" of documented Monterey gilia populations within the project, prior to issuance of the City-wide Section 2081 ITP, one of the following measures (at the applicant's option) shall be implemented:
        - The project site plan shall be redesigned to eliminate the loss of any Monterey gilia individuals and provide protection for the individuals in perpetuity; or
        - The project applicant shall obtain a project-specific Section 2081 ITP to mitigate for the "take" of Monterey gilia. The project applicant would be required to comply with the Section 2081 ITP requirements, which may include conservation of existing populations and/or creation/enhancement of suitable Monterey gilia habitat.

***Nesting Birds***

- ***Mitigation A-6:***
    - To mitigate potentially significant impacts to nesting raptors resulting from removal of trees during nesting season (the nesting season is March 1 to September 15), pre-construction (i.e. no more than 30 days prior to construction) surveys for active nests shall be conducted by a qualified biologist within 250 feet of proposed construction activities; pre-construction surveys are not necessary outside the nesting season. If active nests are found, a suitable construction buffer shall be established by a qualified biologist until the young of the year have fledged. Alternatively, construction activities that may affect nesting raptors can be timed to avoid the nesting season.

***Special-Status Bat Species***

- ***Mitigation A-7:***
    - Prior to construction (e.g., building demolition and tree removal), a qualified biologist shall survey the Project site for the presence of special-status bat species. If special-status bat species are present, the following measures shall be implemented:

- Removal of buildings that contain the bats shall not occur if maternity bat roosts are present (typically maternity roosts are present between April 15 and August 1; however, this timeframe does not apply to all species).
- No building removal shall occur within 30 feet of the maternity roost until all young bats have fledged - as determined by a qualified biologist.
- If special-status bats are present but there is not an active maternity roost, the building(s) containing the bats shall not be demolished or removed until the bats have been excluded using exclusionary devices under the supervision of a qualified bat specialist.

If you have any comments or questions about this report, please contact me at pkrabacher@ddaplanning.com or at (831) 373-4341 ext. 29.

Sincerely,

Patric Krabacher, ISA Certified Arborist 11759
DENISE DUFFY & ASSOCIATES, INC.

**References**

California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities.

California Native Plant Society. 2001. Botanical Survey Guidelines. Available Online at: http://www.cnps.org/cnps/rareplants/pdf/cnps_survey_guidelines.pdf

Firma Consultants, Inc. 2006. Cypress Knolls Tentative Tract Map and General Plan Amendment, Environmental Impact Report.

U.S. Fish and Wildlife Service (Service). 2000. Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants. Available online at: http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/docs/botanicalinventories.pdf

U.S. Army Corps of Engineers, Sacramento District (ACOE). 1997. Installation-Wide Multispecies Habitat Management Plan for Former Fort Ord, California. April 1997. Sacramento, CA.

March 9, 2022 Item No. **11a**

Honorable Mayor and Members of the Marina City Council

City Council Meeting March 15,2022

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2022-, APPROVING ADVERTISING AND CALL FOR BIDS FOR THE CITY PARK BARRACKS AND CYPRESS KNOLLS BUILDINGS BLIGHT REMOVAL 2022 PROJECT.**

**RECOMMENDATION:**

It is requested that the City Council consider adopting Resolution 2022- approving advertising and call for bids for the execution of the City Park Barracks and Cypress Knolls Buildings Blight Removal 2022 Project.

**BACKGROUND:**

The closure of Fort Ord resulted in land being deeded to the City of Marina in an "as-is" condition. The land contains numerous buildings that served the former fort which have deteriorated since 1994 and need to be removed as part of the land redevelopment.
Some of the buildings are on property that the City will retain and must be removed or renovated for adaptive reuse. These include 62-65 barracks buildings and 260 duplex housing units on what was planned to be the Cypress Knolls development.

Although the Fort Ord Reuse Authority (FORA) sunsetted on June 30, 2020, FORA secured bond funding for blight removal prior to closure. Included in the bond funding are FORA bond trust funds allocated to the City amounting to $8,561,968 and escrow bonds that are projected to generate $6.5M in blight removal funding through 2025.

On November 16, 2021, the City Council adopted Resolution No. 2021-119, approving the final 2021-22 & 2022-23 Budget. Included in the Capital Improvement Program (CIP) portion of the budget was an allocation of $4,100,000 in blight bond funding to remove the barracks buildings on the site of the future Dunes Park and $1,600,000 in blight bond funding to remove 31 housing duplexes along 3rd Avenue and Rendova Avenue on the site of the future Cypress Knolls Development.

On September 15,2020, October 27, 2020, and January 20,2021, the Marina City Council adopted Resolution No. 2020-127, 2020-140 and 2021-11, respectively, receiving staff presentation on blight removal and blight removal projects and providing direction to staff on priorities for blight removal.

On April 7, 2020, the City Council passed Resolution No. 2020-30, approving a professional services agreement between the City of Marina and Wallace Group (WG) for Program Management, On-call Design and On-call Construction Management, and Construction Inspection services for projects in the Capital Improvement Program (CIP) and Airport Capital Improvement Programs (ACIP).

On May 4, 2021, the City Council passed Resolution No. 2021-42 approving amendment No. 1 to the Program Management Services between the City of Marina and Wallace Group, to add to the scope of work the program management services for the hazardous material abatement and blighted building removal of Phase 1: 47 barracks buildings located at the Dunes City Park and 31 duplex buildings located in Cypress Knoll , and future Phase 2: six barracks buildings on CDEC Hill at Eleventh Street and future Phase 3: 13 barracks located on Dunes Park South.

**ANALYSIS:**

Wallace Group was directed by staff to prepare bidding documents (plans, specifications, and estimates) for the phase 1 of the blight removal project. The goal for this project is for the abatement, proper removal, and disposal of 45 barracks and miscellaneous debris, including debris from two burnt buildings at the proposed City Park located along Second Avenue and 8th Street and 30 duplex buildings and miscellaneous debris including debris from one burnt building, at the Cypress Knoll area along Rendova Avenue and Third Avenue for future park and or residential development. Site plans are shown in **EXHIBITS A AND B**.

The work in general is not limited to; installation and maintenance of BMPs from Storm Water Pollution Prevention Plan, abatement and proper removal and disposal of all hazardous materials on the sites described in the Pre-demolition Hazardous Material Inspection Reports, tree removal and trimming as shown on the plans and further described on the Specifications and Arborist Report, protection of Monterey gilia, nesting birds and bats, demolition and proper disposal of buildings, roadways, walkways and retaining walls, rough grading and site restoration. Above mention reports are available for review at the office of the City Public Works.

On March 10, 2022 the City of Marina Planning Commission held an open public hearing and adopted the draft Resolution No. 2022-xx, **EXHIBIT C**, approving the removal of 32 trees at the proposed City Park at the Dunes location and five trees at the Cypress Knolls location in order to remove the blighted buildings and all healthy trees to be replaced at 2:1 ratio. The Planning Commission added the following conditions of approval which will be incorporated in the final resolution on record:

1. Pictures of all trees to be retained and removed will be kept by the project arborist and made available on the City website.
2. The project arborist shall monitor the landscaping plan based on the current drought conditions in California.
3. Site 1 (Dunes): Sixty-four (64) replacement trees of comparable size and species shall be incorporated into the City Park landscaping plan when it is prepared, based on the conceptual design plans approved by the City Council.
4. Site 2 (Cypress Knolls): Ten (10) replacement trees shall be required as part of the Development Agreement for Cypress Knolls of comparable size and species. Replacement of Cypress Knolls trees shall be delayed until the development of the project is given final direction by the City Council.

Bidding documents includes provisions for tree protections and tree trimming per the Planning Commission conditions of approval. Tree replacement will be deferred and incorporated in the development of the Dunes Park and Cypress Knolls. Protective fencing will be installed around the Monterey Gilia, fencing placement will be supervised by the biologist before start of work. A biological survey for nesting birds and bats will be conducted 30 days before start of work. Provisions to adjust work to mitigate nesting birds and bats are incorporated on the bidding documents. Denise Duffy &Associates is retained for arborist and biological survey and inspection during execution of the blight abatement and removal.

**FISCAL IMPACT:**

This action, approving advertising and call for bids does not have fiscal impact. Capital Improvement Project funding, HSF2101 for Barracks Blight Removal with a funding amount of $4,100,000.00 and HSF2103 for the Cypress Knolls Building Removal (Partial) with a funding amount of $1,600,000.00 for a total project funding of $5,700,000.00.

The Engineer's Opinion of Probable Construction Cost for this project is $4,750,000.00. If an award is made for this project funding will come from CIP HSF2101 and HSF2103.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The City of Marina Planning Division determined that this action, approving advertising and call for bids for the City Park Barracks and Cypress Knolls Buildings Blight Removal 2022 Project is Categorically Exempt under CEQA Guidelines per Article 19, Section 15304, minor alteration to land.

**CONCLUSION:**

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

_____
Elvie Morla-Camacho, P.E., QSD/P
Project Management Services
Wallace Group

**REVIEWED/CONCUR:**

_____
Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

_____
Layne P. Long
City Manager
City of Marina