Appendix G

Arborist Report for the
1535 Industrial Avenue Warehouse Project

Arborist Report for the 1535-1575 Industrial Avenue Project, City of San José, California

Prepared for:

LBA Realty/LBA Logistics
160 W Santa Clara St Ste 950
San José, CA 95113

Prepared by:

DUDEK
725 Front St Ste 400
Santa Cruz, CA, 95060
Jared Davis
ISA Certified Arborist

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1 Introduction

This report summarizes Dudek's evaluation and analysis of tree resources within the tree survey area at the proposed 1535 Industrial Avenue Warehouse Project. The Project site is comprised of 3.62 acres of developed land (Assessor's Parcel Number (APN) 237-30-020 and APN 237-30-025) located in the City of San José (City) within Santa Clara County, approximately 3.5 miles north of downtown San José, at the junction of Highway 101 and Highway 880. The site is bound by Industrial Avenue to the Northeast, Highway 880 to the West, and other industrial properties to the North and South. (Figure 1 – Regional Location and Vicinity Map). The survey area for this Project includes all property within the APN.

The field inventory and assessments of the survey area's trees were conducted on July 29, 2022. The focus of Dudek's field evaluations was to identify and inventory all trees within the survey area that are subject to regulation under Chapter 13.32, Tree Removal Controls, of the City's Code of Ordinances and that could be affected by the proposed development. This report includes a discussion of the tree inventory, evaluation, and analysis methods, a summary of findings, identification of anticipated impacts, and tree protection recommendations consistent with Title 13 of the of the Code of Ordinances and the tree removal permit process specified therein. The City of San José requires a permit for removal or encroachment upon the canopy or protected zone of a protected tree. San José protected trees are defined as:

1. Street Tree: Any tree located in the public right-of-way between the curb and sidewalk.
2. Heritage Tree: Any tree which, because of factors including but not limited to its history, girth, height, species, or unique quality, has been found by the city council to have a special significance to the community.
3. Ordinance-Size Tree: Any live or dead woody perennial plant characterized by having a main stem or trunk which measures thirty-eight (38) inches or more in circumference at a height of fifty-four (54) inches above natural grade slope. A multi-trunk tree shall be considered a single tree and measurement of that tree shall include the sum of the circumference of the trunks of that tree at a height of fifty-four (54) inches above natural grade slope.
4. Any tree located on multifamily, commercial, industrial, or mixed use property or in a common area.

The analysis of potential tree impacts in this report considers the requirements outlined in the City's Code of Ordinances. The proposed Project would remove City-defined protected trees. Section 4 of this report summarizes the City's regulatory requirements and makes further recommendations related to anticipated on-site tree removal and construction encroachment into the protected zone of street trees.

1.1 Summary

The field survey recorded seven (7) trees within the survey area. All 7 trees on-site are subject to regulation under Municipal Code 13.30. These 7 trees meet the meet the definition of protected trees as defined in the City's Municipal Code, including one (1) Mexican fan palm (*Washingtonia robusta*), and six (6) blue gum (*Eucalyptus globulus*). These trees are protected under Definition 4: Any tree located on multifamily, commercial, industrial, or mixed use property or in a common area.

The inventoried tree locations are depicted in Appendix A, Tree Location Exhibit. The proposed Project's tree impacts are depicted in Appendix B, Tree Impact Exhibit.

Based on an evaluation of the most current site plan, the disturbance area is focused in existing developed areas, consisting primarily of a concrete hardscape lot. Construction of the proposed Project is expected to require removal of up to seven (7) protected trees (6 eucalyptus, 1 palm).

The tree replacement recommendations contained herein are informed by the standards set forth in the City's Code of Ordinances Finally, Section 4 of this report provides permitting and tree replacement guidance.

According to Section 13.32.110 of the City's Code of Ordinances, the planning division requires suitable replacements when trees are removed. The planning division will determine the type and number of trees planted. If the site is suitable, the planning division requests for trees to be planted on site. Any replacement tree that fails within three years shall be replaced.

The City's Code of ordinances sets forth that tree replacements must be roughly proportionate to the burdens of proposed tree removals. Seven (7) trees are proposed to be removed. The current Project includes the planting of 36 15-gallon trees and approximately 20,000 square feet of a variety of native and draught tolerant shrubs and groundcover. A long-term monitoring and maintenance program is further recommended to mitigate for encroachments into the protected zone of retained street trees.

1.2 Assignment

Dudek's International Society of Arboriculture (ISA) Certified Arborists performed the following tasks:

- Assessed and inventoried all trees within the survey area and documented species, diameter at standard height (measured 4.5 inches from ground level), height, crown width, general health, general structural condition, and presence of pests within the 3.62 acre proposed Project site;
- Mapped the location of all trees on site using global positioning system (GPS) technology as necessary to develop a tree location exhibit and for planning reference;
- Prepared a tree information matrix that details the attributes of each protected tree and identifies the species and protection status;
- Evaluated tree impacts based on the Project site plans, and;
- Prepared this report to document the results of field surveys and impact analyses and provide recommendations for tree protection and impact mitigation measures in accordance with the provisions of the City's Code of Ordinances

1.3 Project Description

The Project site, which totals approximately 3.62 acres, is located in the City of San José (City) within Santa Clara County. The Project site is currently unoccupied industrial land. The Project proposes to construct a 71,550-square foot industrial/warehouse building and associated onsite improvements.

1.4 Setting

The Project site is bounded by industrial/warehouse uses to the north and east, and the I-880 and Old Bayshore Highway interchange to the west and south.

SOURCE: Bing Maps Aerial, Open Street Maps 2019.

DUDEK

0 1,000 2,000 Feet
0 285 570 Meters
1:24,000

FIGURE 1

Regional Vicinity Map

Industrial Avenue Project

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2 Methods

The following sections describe the methods used by Dudek's ISA Certified Arborists to inventory and evaluate trees on the tree survey area.

2.1 Field Tree Inventory and Evaluation

Dudek's ISA Certified Arborist, Jared Davis (WE-13755A), conducted the following tree inventory and tree evaluation:

- July 29, 2022 – tree inventory and evaluation to document tree locations and attribute information for all protected trees within the survey area.

The arborist examined and mapped all trees with protected zones that may be disturbed by the proposed development. Tree attribute data collected during the field survey included species, trunk diameter, tree height, canopy spread, general health condition, structural condition and presences of observable pests or other tree maladies. Trunk diameters were measured using a diameter tape which provides adjusted numbers for diameter measurements when wrapping the tape around the circumference of the trunk of a tree. Diameter measurements were collected using standard protocol described by the Council of Tree and Landscape Appraisers in the "Guide for Plant Appraisal," published by the ISA and in accordance with guidance given in the City's Tree Preservation Ordinance.

Trunk diameter measurements were taken at 4.5 feet above the ground along the trunk axis, with a few common exceptions. In cases where the trunk of a tree split into multiple stems at approximately 4.5 feet above the ground, the measurement was made at the location that best represented the trunk's diameter. Tree height measurements were estimated by the arborist, and tree crown radius measurements were documented by "pacing-off" the measurement based on the arborist's knowledge of his stride length or visually estimating the canopy width.

Pursuant to the Guide for Plant Appraisal (ISA 2000), tree health and structure were evaluated with respect to five distinct tree components: roots, trunk, scaffold branches, small branches, and foliage. Health and structure were graded as *good*, *good/fair*, *fair*, *fair/poor*, and *poor*. Good condition trees exhibit acceptable vigor, healthy foliage, minor if any structural issues, and no apparent maladies. Fair condition trees are typical, with few maladies, moderate structural issues, and may exhibit less vigor in foliage and new growth. Trees assigned a poor condition rating by Dudek's arborists exhibit significant health or structural problems or damage. Representative photographs of the tree survey area trees are provided in Appendix C, Tree Survey Area Representative Photographs.

Dudek mapped and collected individual tree attribute information for all protected trees meeting the City's definition of a protected tree, which includes heritage, significant, and specimen trees, and other trees within and adjacent to the Project limits. The location of each individual protected tree was mapped using Collector for ArcGIS (see Appendix A for tree locations). Collector for ArcGIS is an iOS data collection app that allows for accurate GIS data collection.

Individual tree locations are presented in Appendix A, Tree Location Exhibit and individual tree attribute data and impact determination is presented in Appendices B, Tree Impact Exhibit and Appendix D, Tree Information Matrix. Additionally, tree survey area representative photographs were taken in the field and are presented in Appendix C, Tree Survey Area Representative Photographs.

2.2 Tree Impact Analysis

Following data collection, processing, and analysis efforts, an impact determination was made for each tree based on proximity to the proposed disturbance area and building footprint. Impact determinations used in this report include the following: 1) Not Impacted (tree not affected by project); 2) Removal (tree to be removed); and 3) Encroachment (project disturbance would occur within the protected zone of the tree). A summary of project-related tree impacts is presented in Section 3.2, and Appendix D provides impact determination status for each tree recorded in the tree survey area.

2.3 Scope of Work Limitations

This report presents tree information as observed in the field. No root crown excavations or investigations, internal probing, or aerial canopy inspections were performed during the tree assessments. Therefore, the presence or absence of internal decay or other hidden or inaccessible inferiorities in individual trees could not be confirmed.

3 Findings/Results

3.1 Inventory Summary

Dudek's arborist recorded seven (7) trees within the on-site survey. Since the site is zoned as industrial, each of these trees require a permit for removal. Of the 7 trees, five (5) meet the criteria for ordinance-size trees. Table 1 provides a summary of the species and regulatory status of the trees mapped within the tree survey area.

Table 1. Summary of Tree Species and Regulatory Status

Scientific Name	Common Name	Protected Trees	Non-Protected Trees	Total
Eucalyptus globulus	blue gum	6	0	6
Washingtonia robusta	Mexican fan palm	1	0	1
	TOTAL	**7**	**0**	**7**

As presented in Appendix D (Tree Information Matrix), 5 (71.4%) of the trees exhibit good health, 1 (14.3%) trees exhibit fair health, and 1 (14.3%) tree shows signs of poor health. Additionally, 5 trees (71.4%) have good structure and 2 trees (18.6%) have fair structure.

Trees on-site vary in size and stature according to species. Aggregate trunk diameters of the trees within the tree survey area ranges from 11 inches to 41 inches. Tree heights vary from 10 feet to 50 feet. Tree canopy extents range from 8 feet to nearly 50 feet at their widest location. Individual attributes of each tree are presented in Appendix D (Tree Information Matrix).

3.2 Project-Related Impacts

All trees are graphically presented in the Tree Impact Exhibit included in Appendix B.

The analysis of affected trees presented below is based on the proposed Project footprint. For the purposes of this report, tree removal is conservatively considered necessary when the trunk is located inside or within 2 feet of the proposed limits of development. Encroachment is expected when soil and roots are disturbed within the tree-protected zone (canopy drip line plus 5 feet or 15 feet from trunk, whichever is greater). Typically, specific circumstances allow some protected trees that are being encroached upon to be preserved in place within or adjacent to the development area.

Table 2 summarizes impact determinations for protected trees within the tree survey area that are subject to regulation under the City's Code of Ordinances. As shown in Appendix B, all 7 on-site trees would be removed with Project implementation.

Table 2. Summary of Tree Impact Determinations

Species	Protected Trees		
Botanical Name	***Removal***	***Encroach***	**Total**
Eucalyptus globulus	6	0	6
Washingtonia robusta	1	0	1
Totals	**7**	**0**	**7**

4 Regulatory Requirements and Recommendations

4.1 Regulatory Requirements

Removals

According to Section 13.32.030 of the City's Code of Ordinances, the removal of a live tree on any private parcel must meet at least one of the following conditions:

1. The tree affected is of a size, type and condition, and is in such a location in such surroundings, that its removal would not significantly frustrate the ecosystem services, aesthetics, or human health benefits provided by trees in the Urban Forest
2. The location of the tree with respect to a proposed improvement unreasonably restricts the economic development of the parcel in question
3. The condition of the tree with respect to disease, danger of falling, proximity to an existing or proposed structure, and/or interference with utility services, is such that preservation of the public health or safety requires its removal

The City's Tree Preservation Ordinance requirements for healthy protected tree removals associated with development projects are summarized as follows:

a) A permit application must be submitted. This application include

   a. A Tree Removal on Private Property Permit Application
   b. The number, type, size and location of each tree
   c. An explanation as to why tree removal is necessary
   d. Color photograph of each tree, printed on 8.5" x 11" paper
   e. Non-refundable fee

b) Upon the receipt of a complete application to remove a healthy protected tree, the Director[1] shall conduct an investigation on each application for a tree removal permit accepted for filing. The Director shall mail a written tentative decision to the applicant and the parcel owner.

c) Within 5 calendar days of the mailing date, the applicant shall post the copy of the written tentative decision at each public street frontage within 2 feet of the public right-of-way. The applicant must provide written certification to the Director that the tentative written decision has been posted for a period of at least five (5) calendar days. Surrounding residents shall have at least ten (10) days to submit any comments before the date of the Director's consideration and final decision as stated in the notice.

[1] According to Section 13.30.025 of the City's Code of Ordinances, in a matter of tree removals, "Director" shall mean Director of Planning, Building and Code Enforcement of the City of San José or such other person designated by the City Manager to administer and enforce the provisions of tree removal controls

Further, Section 13.32.110 – Action on a Permit, of the City's Code of Ordinances requires the following:

1. The Director or the Planning Commission on appeal, if applicable, shall impose as a condition on the issuance of any permit for the removal of any tree the requirement that a suitable replacement tree or trees as determined by the Director or the Planning Commission on appeal be or cause to be provided, installed and maintained, at no cost to the City: on-site by the permittee; or if on-site replacement is not feasible, at another site within the City of San José in the manner determined by the Director or the Planning Commission on appeal.

2. The replacement tree requirement set forth in this Section shall be roughly proportionate to the tree replacement needed to alleviate and address the burdens and other impacts created by allowing the removal of the tree or trees under the permit, except that the Director or the Planning Commission on appeal may increase by a reasonable amount the number of replacement trees to be provided, installed and maintained by the permittee, such as increasing the number and/or size of replacement trees, where it is specifically found based upon evidence in the record that the permittee injured or removed or caused the injury or removal of a dead tree that is a subject of the permit without first obtaining a tree removal permit.

3. On-site tree replacement shall include a requirement that any on-site replacement tree that fails within three years after planting shall be promptly replaced. Off-site replacement shall include similar assurance of longevity of the replacement tree(s).

4.2 Recommendation

The proposed Project would remove all seven (7) protected trees and replant 36 trees back on site (as shown on the Landscaping Plan).

It should be noted that the number of proposed plantings exceeds what is calculated using the replacement recommendations illustrated in Table 3, Replacement Recommendations for Proposed Tree Removals. As described, it is recommended that replacement trees be 15 gallons.

Per Table 3, the proposed Project would be required to provide 26 trees, replacing the one (1) 11-inch diameter tree at a 2:1 ratio, and the remainder six (6) trees at a 4:1 ratio (1x2 = 2, 6x4 = 24, 2+24 = 26 trees).

Table 3. Replacement Recommendations for Proposed Tree Removals

Circumference of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
38 inches or more	5:1	4:1	3:1	15-gallon
19 up to 38 inches	3:1	2:1	None	15-gallon
Less than 19 inches	1:1	1:1	None	15-gallon

X:X = tree replacement ratio
Note: Trees greater than or equal to 38-inch circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For Multi-family Residential, Commercial, and Industrial properties, a permit is required for removal of trees of any size.

A 38-inch tree equals 12.1 inches in diameter. A 24-inch box tree = two 15-gallon trees. Single Family and Two-dwelling properties may be mitigated at a 1:1 ratio.

Dudek recommends all tree plantings be subject to a 5-year monitoring effort by an independent third-party certified arborist. This monitoring effort would consider growth, health, and condition of the subject trees to evaluate the Project's success. The monitoring effort may result in a recommendation of remedial actions should any of the tree plantings exhibit poor or declining health.

The specific location of individual replacement tree plantings on site will be addressed in the landscape design plan prepared for the site. Dudek estimates that all of the required replacement trees can be accommodated within the Project site's landscape areas. The replacement requirement and the approved tree replacement ratio is at the discretion of the City and subject to a final tree impact analysis. As such, the final tree numbers associated with tree replacement and other mitigation components may vary from that presented in this tree inventory and assessment.

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5 Disclosure

This arborist report provides conclusions and recommendations based only on a visual examination of the trees within the tree survey area by International Society of Arboriculture Certified Arborists and reasonable reliance on the completeness and accuracy of the information provided to the arborist. The examination did not include subterranean or internal examination of the trees.

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near them. Although trees provide many benefits to those who live near them, they also include inherent risks from breakage or failure that can be minimized but not eliminated.

Arborists cannot detect every condition that could possibly lead to the failure of a tree. Trees are living organisms subject to attack by disease, insects, fungi, weather, and other forces of nature, and conditions that lead to failure are often hidden within trees and belowground. There are some inherent risks with trees that cannot be predicted with any degree of certainty, even by a skilled and experienced arborist. Arborists cannot predict acts of nature, including, without limitation, storms of sufficient strength, which can cause an apparently healthy tree to fail. Additionally, arborists cannot guarantee that a tree will be healthy or safe under all circumstances or for any specific period of time. A tree's condition could change over a short or long period of time due to climatic, cultural, or environmental conditions. Further, there is no guarantee or certainty that recommendations or efforts to correct unsafe conditions will prevent future breakage or failure of a tree.

To live or work near trees is to accept some degree of risk. Neither the author of this Arborist report nor Dudek have assumed any responsibility for or will be liable for any claims, losses, or damages for damage to any tree, death or injury to any person, or any loss of or damage to any personal or real property.

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6 References

City of San Jose, CA. "Tree Removal on Private Property Permit Application." *Planning, Building, and Code Enforcement*, 21 Mar. 2022, https://www.sanjoseca.gov/home/showpublisheddocument/15395/637838213614830000.

City of San Jose, CA. Code of Ordinances, 13.32.041 – Removal of Unsuitable Tree. 2000

International Society of Arboriculture (ISA). 2000. Guide for Plant Appraisal (9th Edition).

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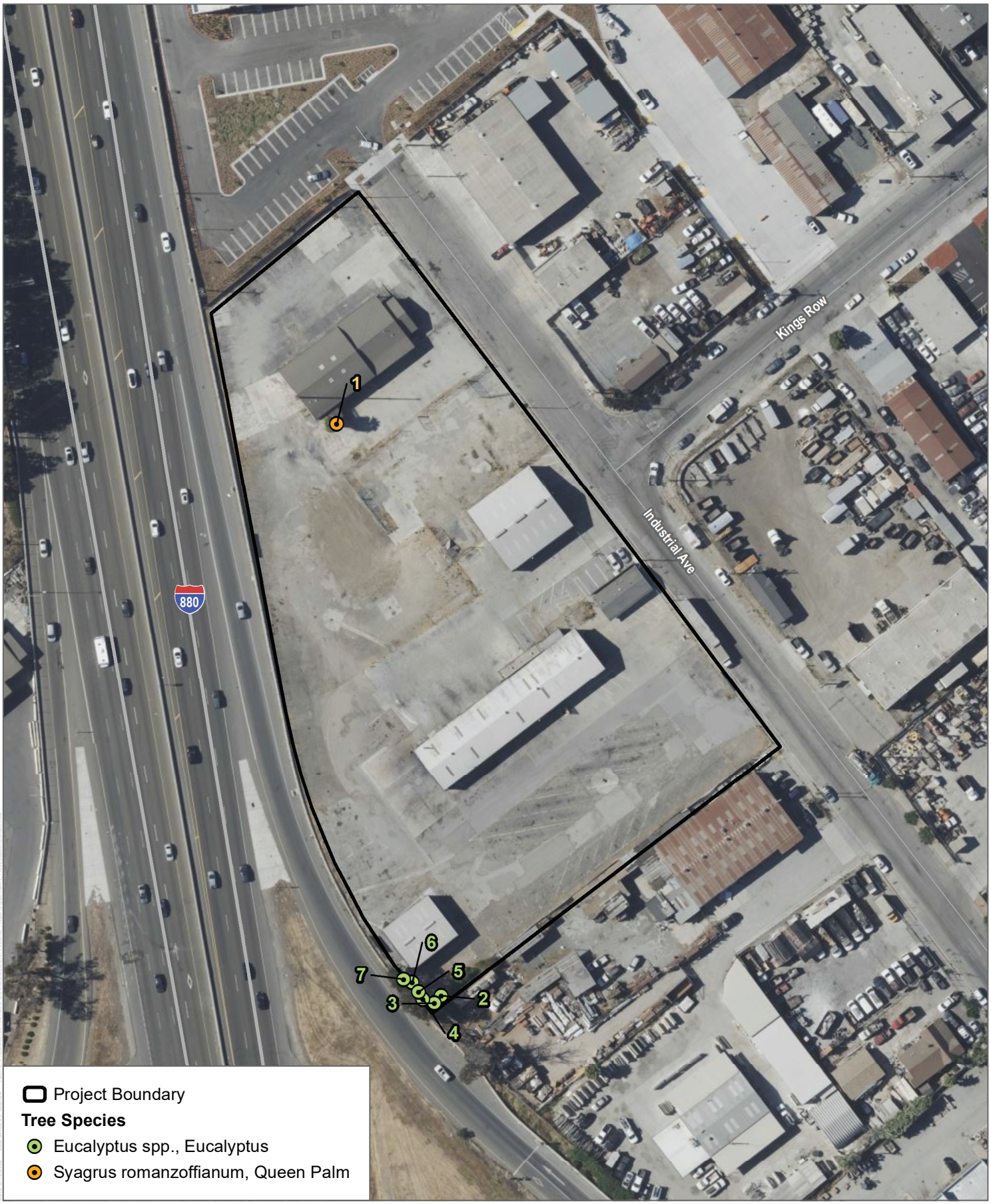
Appendix A

Tree Location Exhibit



SOURCE: Bing Maps Aerial, Open Street Maps 2019.

DUDEK

0 50 100 Feet

Appendix A

Tree Location Exhibit

Industrial Avenue Project

Appendix B

Tree Impact Exhibit

SOURCE: Bing Maps Aerial, Open Street Maps 2019.

DUDEK

0 50 100 Feet

Appendix B

Tree Impact Exhibit

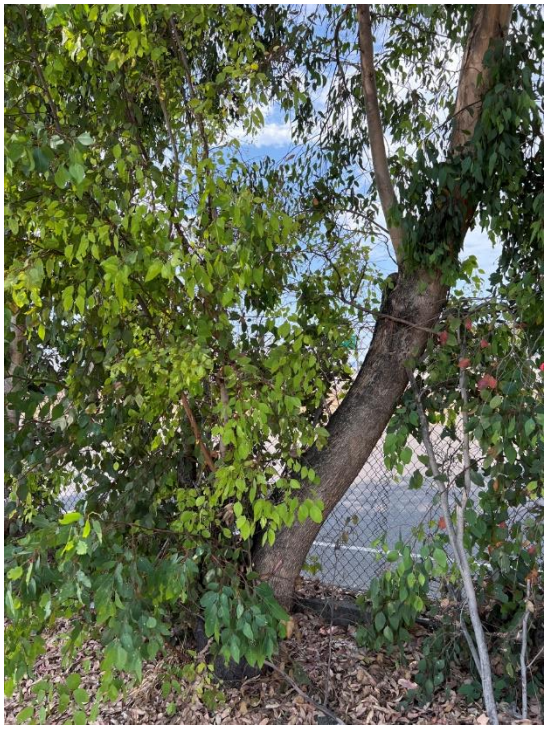
Industrial Avenue Project

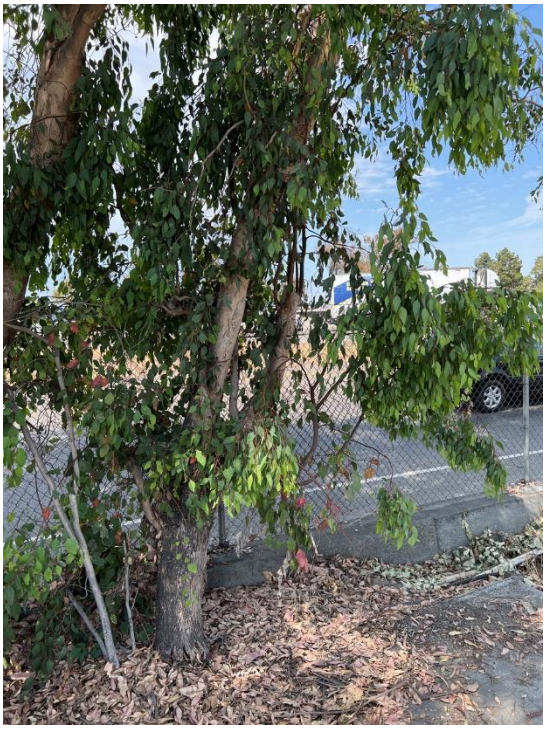
Appendix C

Tree Survey Area Representative Photographs

Palm Tree

Eucalyptus Trees





Appendix D

Tree Information Matrix

Tree No.	Botanical Name	Common Name	Number of Stems	Combined Stem Diameter (in.)	Individual Stem Diameter (in)					Height (Ft)	Crown Width (ft.)	Health	Structure	Regulation Status	Impact Status
					Stem 1	Stem 2	Stem 3	Stem 4	Stem 5						
1	Washingtonia robusta	Queen Palm	1	22	22	0	0	0	0	38	14	Poor	Good	Protected	Removal
2	Eucalyptus globulus	Blue Gum	2	11	7	4	0	0	0	10	5	Fair	Good	Protected	Removal
3	Eucalyptus globulus	Blue Gum	4	34	13	8	7	6	0	50	50	Good	Fair	Protected	Removal
4	Eucalyptus globulus	Blue Gum	2	23	15	8	0	0	0	50	50	Good	Good	Protected	Removal
5	Eucalyptus globulus	Blue Gum	3	21	6	5	4	0	0	30	30	Good	Fair	Protected	Removal
6	Eucalyptus globulus	Blue Gum	3	33	13	3	4	0	0	50	50	Good	Good	Protected	Removal
7	Eucalyptus globulus	Blue Gum	3	23	7	6	3	0	0	50	50	Good	Good	Protected	Removal