



Content Requirements for Tree Protection Plans

County of Ventura • Resource Management Agency • Planning Division
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www.ventura.org/rma/planning/Permits/tree.html

A Tree Protection Plan (TPP) is a plan which outlines specific measures to protect trees during construction or other site disturbance. The TPP also addresses requirements for offsetting or mitigating impacts to protected trees, such as transplanting or planting replacement trees.

If a proposed discretionary project may cause damage to trees protected by the Ventura County Tree Protection Ordinance, a TPP must be submitted to and approved by the County prior to any clearing, grubbing, grading or other disturbance that may affect the health of protected trees.

Arborist Qualifications. Tree Protection Plans must be prepared by an arborist certified by the International Society of Arboriculture (ISA) or a related professional, such as a landscape architect, with qualifying education, knowledge and experience, as determined by the Planning Director.

Modification of an Approved TPP. After a Tree Protection Plan has been approved by the County, any changes to the plan must be approved in writing by the Planning Director.

Required Plan Content

The content and scope of TPPs will vary based on the site, tree species, tree location, type of construction and other factors. These plans may be very brief or quite lengthy, as needed in the specific circumstance. The content requirements herein assume that an Arborist Report has already been prepared to assess the condition of and potential impacts to protected trees from the proposed development. However, the Arborist Report and the TPP may be prepared together. (See the document *Content Requirements for Arborist Reports*.)

Tree Protection Plans include a narrative component and a site plan component. These following guidelines outline the content requirements for these components.

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Narrative

Italicized text represents instructions. Non-italicized text represents exact language that should be used in the TPP, as appropriate.

1. Background Information

Include the following:

- *Contact information of: property owner, project applicant (if different from owner), and arborist (include ISA or other relevant certification number).*
- *Assessor parcel number(s), project location*
- *Assignment (# of protected trees involved, reason for the tree permit request, history with regard to previous Arborist Report, limitations, etc.)*

2. Tree Condition and Impact Table

Include the Tree Condition and Impact Table from the Arborist Report, and any updates thereto, to provide a summary of the trees addressed in the TPP. The TPP must address the protection of all protected trees (those protected by the TPR) whose tree protection zones are within 20 feet of the construction envelope (including stockpile and storage areas, access roads, and all areas to be used in the construction) or within 10 feet of other trees proposed for removal.

3. Tree Protection Construction Standards

Outline in this section the protection measures to be implemented before construction or disturbance. The following general provisions for tree protection before construction or disturbance should be included in TPPs, or modified as appropriate on a case-by-case basis. Additional measures may be added.

Pre-Construction

a. Pre-Construction Meeting

The project arborist shall attend a pre-construction meeting with the contractors to explain the tree protection and monitoring requirements as outlined in the approved TPP.

b. Tree Protection Fencing

Prior to any clearing, grubbing, trenching, grading, or any land disturbances, tree protection fencing must be installed as follows:

i. Type

The fencing shall be temporary, readily visible, and a minimum of 4-feet high. The fencing shall effectively: 1) keep the foliage, crown, branch structure and trunk clear from damage by equipment, materials or disturbances; 2) preserve roots and soil in an intact and non-compacted state; and 3) identify the TPZ zone. [*Indicate the appropriate fence composition and installation specifications.*].

ii. Signage

One English language and one Spanish language, readily-visible, durable, waterproof sign shall be installed on the fence in 4 equidistant locations around each individual protected tree. Signs placed on fencing around a stand of protected trees shall be placed at approximately 50-foot intervals. The size of each sign must be a minimum of 16 inches wide and must contain the wording below. The lettering in the word "WARNING" (and Spanish equivalent) must be in capital letters at least 2 inches in height; the phrase "TREE PROTECTION ZONE" must be in capital letters at least 1 inches; size; all other lettering must be at least ½ inch in size.

WARNING TREE PROTECTION ZONE

Entry prohibited. This fence shall remain in place throughout the entire construction period.

To report violations, contact
VENTURA COUNTY CONDITION COMPLIANCE: 805/654-2457

ADVERTENCIA

ZONA DE PROTECCIÓN DE ÁRBOLES

Entrada prohibida. Esta cerca debe permanecer
en su lugar durante el periodo de construcción.

Para reportar violaciones, contacte al
ENFORZAMIENTO DE PERMISOS DEL CONDADO DE VENTURA:
805/654-2457

c. Verify Fencing Installation

Verification that tree protection fencing has been installed pursuant to the approved TPP shall be provided to County before construction commences.

During Construction

Outline in this section the protection measures to be implemented during construction or disturbance. The following general provisions for tree protection during construction or disturbance should be included in TPPs, or modified as appropriate on a case-by-case basis. Additional measures may be added.

a. Tree Protection Zone Restrictions

- No ground disturbance, grading, trenching, construction activities or structural development shall occur within the tree protection zone (TPZ) except as specifically authorized by this permit and the approved TPP.
- No equipment, soil, or construction materials shall be placed within the TPZ. No oil, gasoline, chemicals, paints, solvents, or other damaging materials may be deposited within the TPZ or in drainage channels, swales or areas that may lead to the TPZ.
- Unless otherwise directed by the project arborist, all work done within the TPZ, including brush clearance, digging, trenching and planting, shall be done with hand tools or small hand held power tools that are of a depth and design that will not cause root damage.
- Where trenching or digging within the TPZ is specifically permitted, the work shall be conducted in a manner that minimizes root damage, as directed by an arborist.
- Grade changes outside of the TPZ shall not significantly alter drainage to protected trees. Grading within the TPZ shall use methods that minimize root damage and ensure that roots are not cut off from air. Where erosion may be a factor return and protect the original grade or otherwise stabilize the soil.
- Protected trees shall not be used for posting signs, electrical wires or pulleys; for supporting structures; and shall be kept free of nails, screws, rope, wires, stakes and other unauthorized fastening devices or attachments.

b. Tree Care

Describe specific care recommendations for existing trees during construction, such as irrigation, aeration, mulching, etc.

c. Pruning

The TPP should address any planned pruning of protected trees. Indicate the trees to be pruned, provide a description of the nature and extent of the pruning, and explain why pruning is needed. Recommendations about timing of pruning should be included if appropriate.

Major pruning should not occur unless the project arborist determines that it is necessary for tree health. The need for such pruning should be included in the project description and must be

approved by the County. Major pruning involves pruning limbs or roots that are greater than 20 percent of the tree's girth or pruning that overall will amount to more than 20 percent of the tree's canopy or root system. Pruning should be performed under the supervision of the project arborist. At a minimum the following language must be included in the TPP:

- i. Pruning shall be in compliance with the International Society of Arboriculture (ISA) *Tree-Pruning Guidelines*. Climbing gaffs shall not be used on live wood.
 - ii. No live tissue may be removed from protected trees solely for the purpose of altering the appearance of a tree.
- d. Arborist Monitoring

If arborist monitoring is warranted, the following language should be used or modified as appropriate.

An arborist shall be onsite to monitor all grubbing, trenching, digging, grading and construction activities within the TPZ. Additionally, the arborist shall perform the following duties:

- iii. Perform weekly inspections of tree protection fencing during grading or construction in the vicinity of protected trees and report deficiencies immediately to the Planning Division. If construction-related dust has accumulated on protected tree foliage, notify the Permittee and the Planning Division that foliage should be hosed off.
 - iv. Produce and submit to the Planning Division monthly reports summarizing the above weekly inspections.
 - v. Stop or divert all work when deficiencies require mediation and notify the Planning Division within 24 hours.
 - vi. Inform the Planning Division when tree protection fencing may be removed.
- e. Unanticipated Tree Damage Reporting
- Unauthorized impacts to protected trees must be reported. The following language should be included in TPPs.*
- The Permittee shall submit unanticipated damage reports to the Planning Division within 24 hours of occurrence or discovery of the damage.

Post-Construction

a. Arborist Monitoring

If construction related disturbance could lead to tree damage or death, the TPP should include a requirement like the following for ongoing monitoring:

Annual monitoring reports shall be prepared by an arborist, for [two years after project construction for construction damage monitoring, 5 years after planting for TPR offsets, 7 years after planting for oak woodlands mitigation planning], which address the success of protection measures and the overall condition of [encroached-upon, planted, transplanted] trees [describe/list the specific trees] relative to their condition prior to project construction. If any trees are found to be in serious decline (i.e., "D" status, or "C" status if pre-construction status was "A"), the arborist's report must include a Damaged Tree Addendum to the TPP which recommends offsets and any associated additional monitoring.

The following language should be used or modified as appropriate if replacement planting or transplanting is part of the TPP.

- i. An arborist shall inspect tree installations within 1 week of planting to verify that installations occurred according to the TPP specifications.
- ii. An arborist shall monitor any replacement or transplanted trees annually for compliance with the health performance targets in the approved TPP.
- iii. An arborist shall produce and submit to the Planning Division a final report when all TPP requirements have been satisfied (final report will release financial assurance).

4. Tree Impact Offsets

The Ventura County Tree Protection Ordinance requires that impacts to protected trees be offset on a one-for-one basis. The TPP should provide recommendations on how any impacts will be offset. Use the following guidelines to develop appropriate tree impact offset recommendations:

- *Impacts to protected trees must be offset either through payment of a mitigation fee, in-kind tree replacement planting, tree transplanting, a combination of these methods, or other methods that may be deemed appropriate on a case-by-case basis.*
- *Tree offsets must be in accordance with the requirements of the County's Tree Protection Guidelines and approved by the Planning Director.*
- *If the project is within the Lake Sherwood/Hidden Valley Area Plan, tree offsets must be in accordance with the requirements of the County's Tree Protection Guidelines, the Lake Sherwood/Hidden Valley Area Plan and approved by the Planning Director.*

In addition, the following provisions for tree impact offsets should be included in TPPs, or modified as appropriate on a case-by-case basis.

a. Replacement Planting or Transplanting

Replacement planting or transplanting offsets shall conform to the following:

- i. *The Permittee shall ensure that replaced or transplanted trees live and maintain the performance targets specified in the approved TPP for a period of 5 years. (If the planting will also mitigate impacts to oak woodlands, the term must be 7 years.)*
- ii. *The Permittee shall offset by way of in lieu fees, unless otherwise approved by the Planning Director, any replacement or transplanted tree that dies or does not meet its TPP performance targets within the 5-year (or 7-year) monitoring period.*

b. In Lieu Fees

If payment of in lieu fees is the selected offset/mitigation measure, these fees may be paid either to the Planning Division's Tree Impact Fund or to an approved conservation agency. The TPP must propose an offset/mitigation obligation amount based upon the appraised value of the affected trees.

If fees are to be paid to the Planning Division's Tree Impact Fund, include the following language:

The Permittee shall submit in lieu fees within 30 days of approval of any TPP Damaged Tree Addendum (if applicable) and prior to the issuance of a Zoning Clearance for Construction.

If fees are to be paid to a conservation agency, include the following language:

Within 30 days of approval of any TPP Damaged Tree Addendum (if applicable) and prior to the issuance of a Zoning Clearance for Construction, the Permittee shall:

- i. *Secure approval from the Planning Division of a Tree Mitigation Plan from a conservation agency outlining how the mitigation funds will be used to support the preservation of protected trees. If appropriate given the proposed use of the funds, the plan must identify the entity responsible for the long-term management and monitoring of the protected trees or habitat; provide evidence that a conservation easement or similar land constraint has been placed over the land; and must commit to provision of annual monitoring reports for 5 years (or 7 years if for oak woodland impacts).*
- ii. *Provide a copy of a contract between the conservation agency and the Permittee documenting that the required in lieu fees have been paid.*

The Planning Division will expect that every effort be made to use an agency within the same primary watershed as the tree impact.

c. Unanticipated Damage

If the arborist has reason to believe that construction related disturbance could damage or kill any protected trees, the TPP should outline contingency offsets that will be provided in the event that any of those trees do become damaged or killed. In all cases the TPP should include the following:

If tree damage occurs, either during construction or the post-construction monitoring period, which is not already addressed in the TPP, an arborist-prepared Damaged Tree Addendum shall be submitted to the Planning Division which outlines how the damaged trees will be offset.

5. Tree Removal Standards

The following general provisions for tree removal should be included in TPPs, or modified as appropriate on a case-by-case basis. Additional measures may be added.

The felling of protected trees shall be done in a manner that avoids damage to remaining protected trees. The stumps of any tree removed within the TPZ of remaining trees shall be ground down to just below the ground surface level and not excavated.

6. Planting Standards for Replacement and Transplant Trees

If the offsetting of impacts involves replacing or transplanting trees, the TPP should provide detailed standards for the planting, care and subsequent monitoring of these trees. If tree planting will occur onsite, soils information should be provided if available and appropriate, including such factors as soil depth, water holding capacity, drainage, pH, and organic matter content.

In cases where the trees to be planted are part of a larger landscape plan for the project, tree planting and care information may be deferred to the landscape plan.

The Permittee is expected to ensure that replaced or transplanted trees live and maintain the health performance targets specified in the TPP for a period of 5 years or 7 years if mitigating for oak woodlands impacts.

The following should be addressed:

Replacement Trees: *When on-site planting of replacement trees is proposed, recommend appropriate tree planting locations (if any), and size and species of trees to be planted.*

Transplant Trees: *When on-site transplanting is proposed, recommend appropriate transplant locations (if any) and any special methods of removal.*

Both Replacement and Transplant Trees: *Address the following planting and maintenance requirements if applicable:*

- *Appropriate timing for tree removal and/or planting.*
- *Specific planting and staking techniques for each tree, given soil and site conditions.*
- *Measures to protect tree from predation and human interference.*
- *Specific irrigation needs of tree during establishment period and over time.*
- *Weed control.*
- *Tree health performance targets, by year for 5 years. Use the follow A – F tree health class scale: A (Excellent) / B (Average) / C (Fair) / D (Poor) / F (Dead/dying)*

For oak trees, the following language is recommended:

Except for an establishment period after tree planting, no irrigation water shall be applied within a 6 foot radius of protected oak tree trunks.

Planting within the TPZ of protected oaks is discouraged. Any plantings within the TPZ of protected oak trees shall be of compatible species requiring minimal irrigation. No planting shall occur within a 6-foot radius of protected oak tree trunks. Plant varieties that are susceptible to avocado root rot or oak root fungus should be avoided.

The Permittee shall ensure that protected oak tree trunk areas are properly drained and that water does not pool in the TPZ.

No extensive soil compacting activities shall occur in the TPZ.

7. Other Recommendations

Include other recommendations for care of remaining or planted trees.

8. Inspection Schedule

Include a schedule for required arborist monitoring before and during construction as well as any required monitoring of tree plantings. Trees planted or transplanted as offsets must be monitored annually, at a minimum, for five years.

9. Financial Assurance to Guarantee Protected Tree Offsets/Mitigation

In order to guarantee the successful implementation any replacement or transplanted trees outlined in the TPP, a financial assurance must be provided. The following language must be included in TPPs.

If protected trees are felled or damaged and require offsets/mitigation and planting new trees onsite is the approved offset/mitigation measure, the Permittee shall:

- a) Post a financial assurance to cover the costs of planting and maintaining the offset trees for a period of 5 or 7 years (as indicated in the TPP). The financial assurance may consist of cash, a time certificate of deposit, letter of credit, or bond in a form satisfactory to the Planning Director. The amount of the financial assurance shall be based upon the TPP's appraised value of the affected trees. The financial assurance shall designate the Ventura County Planning Division as the beneficiary of the instrument.
- b) Upon satisfactory completion of the provisions of the TPP for which the financial assurance is made, the County of Ventura shall reassign the financial assurance to the Permittee. If the Permittee fails to carry out the provisions of the TPP, the County shall use the financial assurance to pay the costs associated with correcting the failure. If the amount of the financial assurance exceeds the cost and expense incurred by offsetting the loss or damage of the protected trees, the County shall refund the Permittee the remaining balance. If the amount of the financial assurance is less than the cost and expense incurred by the County for the offsets, the Permittee shall be liable to the County for the difference.

10. Restrictive Covenants to Guarantee Protected Tree Offsets/Mitigation

In order to ensure the success of trees planted or transplanted as offsets for impacts, and that any future landowners are notified about requirements for protection and maintenance of these trees, a restrictive covenant must be recorded. The following language must be included in TPPs.

If protected trees are damaged and require offsets/mitigation and planting new trees onsite is the approved offset/mitigation measure, the Permittee shall record against the parcel(s) governed by this permit a restrictive covenant indicating that the Planning Division has authorized development on the subject property subject to terms and conditions that restrict the use of that property.

The restrictive covenant shall be recorded by the Permittee on a form provided by the Planning Division and shall conform to the requirements outlined in the County's *Content Requirements for Tree Protection Plans* document. The restrictive covenant shall include the planting instructions and performance targets required by the TPP for tree replacement planting and shall be imposed as covenants and restrictions on the use of the property. The term of the restriction shall be (5 or 7) years as indicated in the TPP. The restrictive covenant shall include a legal description of the parcel(s) governed by this permit. In addition, the restrictive covenant shall:

- a) Prohibit removal or transplanting of replacement or transplanted trees without a permit modification;
- b) Restrict activities within the tree protection zone of replacement or transplanted trees;
- c) Require appropriate care of replacement or transplanted trees;
- d) Commit any future landowners to the tree protection conditions of this permit, including posting of financial assurances, tree monitoring and reporting; and
- e) Designate the County of Ventura as a beneficiary of the restrictive covenant in order to allow court action by the County if necessary.

11. Attachments

a. Arborist Report

The Arborist Report submitted with the project's application should be included as an attachment.

b. Tree Appraisals

If tree appraisals were not included in the Arborist Report and are needed for offsets, they must be included in the TPP. Appraisals must be done of all trees that require tree protection fencing, on those that will be felled and offset by replacement trees, and on all trees that will be transplanted as offsets. Appraisals shall be done using the most current edition of the Guide for Plant Appraisal (as it applies to Ventura County), published by the Council of Tree and Landscape Appraisers.

Site Plan

A project site plan must be provided that clearly depicts the following information for all protected trees with TPZs that are located within 20 feet of the limits of the construction area (including access roads and storage areas) of the proposed development, whether on the subject project property or on adjoining sites. The site plan must be at a scale of 1" = 30' or larger.

1. Arborist's Information

Include the project arborist's name and contact information.

2. Tree, Dripline and Tree Protection Zone

The trunk locations, canopy driplines and TPZs of existing trees must be clearly marked and drawn to scale. Mark whether the trees are to be removed or retained. If offset trees will be planted or transplanted onsite, and locations are known, mark these locations.

3. Heritage or Historical Trees

Indicate whether any of the trees are of heritage size or potential historic status.

4. Tree Impacting Work/Features

Include grade changes and other work or features adjacent to trees that could adversely affect them. This includes such things as: proposed paving within the TPZ, locations of all proposed utility lines or other trenching, grade changes, surface and subsurface drainage, and walls, as well as staging areas for parking, materials storage, and concrete washout where these areas might affect tree protection.

5. TPZ Landscaping

If landscaping plans are available, include proposed landscaping and irrigation within the TPZ.

6. Tree Protection Fencing Location and Specifications

Include the location of and specifications for required tree protection fencing for trees to be retained.

7. Other Tree Protection Measures

Include other required methods of tree protection such as erosion control, retaining walls and grade change barriers - both temporary and permanent, tunneling for utilities, aeration systems, etc.

8. Notes and Details

Relevant notes and details must be included on both the tree protection plan site plan and the grading plan. This must include, at a minimum, a copy of the text in the *Tree Protection Construction Standards* section of the TPP's narrative. Include details as needed and appropriate.

Submittal Schedule

The TPP should include a submittal schedule that lists those follow-up items called for in the document and the date by which those items should be submitted to the County. (This is in addition to the inspection schedule required above.)

Document/Offset Item	Date Requirement	Specific Submittal Date
Unanticipated Damage Report	Permittee shall submit within 24 hours of occurrence or discovery of the damage.	
TPP Damaged Tree Addendum	Permittee shall submit within 30 days of the damaging incident or discovery of the damage.	
In Lieu Fees	The Permittee shall submit these fees within 30 days of approval of any TPP Damaged Tree Addendum (if applicable) and prior to the issuance of a Zoning Clearance for Construction. If in lieu fees will be paid to an approved conservation agency, a Tree Mitigation Plan and contract from the conservation must also be submitted at this time.	
On-Site Tree Planting	Planting of onsite offset/mitigation trees shall occur within 90 days approval of any TPP Damaged Tree Addendum (if applicable) and prior to the issuance of a Zoning Clearance for Construction.	
Annual Reports	The first report shall be due one year after receipt by the Planning Division of proof that the required trees have been planted.	
Financial Assurance	The Permittee shall submit within 30 days of approval of any TPP Damaged Tree Addendum (if applicable) and prior to the issuance of a Zoning Clearance for Construction.	
Restrictive Covenant	The restrictive covenant shall be recorded prior to the issuance of a Zoning Clearance for Construction and within 30 days of approval of any TPP Damaged Tree Addendum (if applicable) and prior to the issuance of a Zoning Clearance for Construction. Within 5 days of recordation, the Permittee shall provide the Planning Division with a copy of the recorded restrictive covenant.	