

# **APPENDIX B**

## *Arborist Report*

## Tree Inventory of

**Almaden Blvd Tower  
50 Almaden BLVD  
San Jose, CA 95113**



**Prepared by  
Urban Tree Management, Inc.**

**May 21, 2020**

**Revised November 3, 2020**

Almaden Blvd Tower  
50 Almaden BLVD  
San Jose, CA 95113

## Assignment

It was our assignment to physically inspect trees in the survey area based on a topographic map provided by the client. We were to map, tag and compile data for each tree and write an inventory/ survey report documenting our observations.

## Summary

This survey provides a numbered map and complete and detailed information for each tree surveyed. There are twenty-three trees included in this report. There are fourteen protected street trees and nine protected trees under San Jose's tree protection ordinance. Fourteen street trees are recommended for removal to facilitate sidewalk expansion and nine private property trees are recommended for removal due to construction limits. Thirty-four replacement trees are required by the City of San Jose based on the sizing of the on-site trees that are being removed. Nineteen street trees are proposed to replace the street trees that are being removed, unless a different quantity is specified by the City. No living birds or animals were found in any of the trees in the surveyed area. There were no native or heritage trees found in the surveyed area.

## Discussion

All the trees surveyed were examined and then rated based on their individual health and structure according to the table following. For example, a tree may be rated "good" under the health column for excellent/vigorous appearance and growth, while the same tree may be rated "fair/poor" in the structure column if structural mitigation is needed. More complete descriptions of how health and structure are rated can be found under the "Methods" section of this report. The complete list of trees and all relevant information, including their health and structure ratings, their "protected/significant" status, a map and recommendations for their care can be found in the data sheet that accompanies this report.

<b><u>Rating</u></b>	<b><u>Health</u></b>	<b><u>Structure</u></b>
<b>Good</b>	excellent/vigorous	flawless
<b>Fair/good</b>	no significant health concerns	very stable
<b>Fair</b>	showing initial or temporary disease, pests, or lack of vitality. measures should be taken to improve health and appearance.	routine maintenance needed such as pruning or end weight reduction as tree grows

<b>Fair/poor</b>	in decline, significant health issues	significant structural weakness(es), mitigation needed, mitigation may or may not preserve the tree
<b>Poor</b>	dead or near dead	hazard

## Methods

The trunks of the trees are measured using an arborist’s diameter tape at 54” above soil grade. In cases where the main trunk divides below 54”, the tree is measured (per San Jose’s tree protection ordinance) at the point where the trunks divide. In these cases, the height of that measurement is given in the note’s column on the attached data sheet. The canopy height and spread are estimated using visual references only.

The condition of each tree is assessed by visual observation only from a standing position without climbing or using aerial equipment. No invasive equipment is used. Consequently, it is possible that individual tree(s) may have internal (or underground) health problems or structural defects, which are not detectable by visual inspection. In cases where it is thought further investigation is warranted, a “full tree risk assessment” is recommended. This assessment may be inclusive of drilling or using sonar equipment to detect internal decay and include climbing or the use of aerial equipment to assess higher portions of the tree.

The health of an individual tree is rated based on leaf color and size, canopy density, new shoot growth and the absence or presence of pests or disease.

Individual tree structure is rated based on the growth pattern of the tree (including whether it is leaning); the presence or absence of poor limb attachments (such as co-dominant leaders); the length and weight of limbs and the extent and location of apparent decay. For each tree, a structural rating of fair or above indicates that the structure can be maintained with routine pruning such as removing dead branches and reducing end weight as the tree grows. A fair/poor rating indicates that the tree has significant structural weaknesses and corrective action is warranted. The notes section for that tree will then recommend a strategy/technique to improve the structure or mitigate structural stresses. A poor structural rating indicates that the tree or portions of the tree are likely to fail and that there is little that can constructively be done about the problem other than removal of the tree or large portions of the tree. Very large trees that are rated Fair/Poor for structure AND that are near structures or in an area frequently traveled by cars or people, receive an additional **\*\*CONSIDER REMOVAL** notation under recommendations. This is included because structural mitigation techniques do not guarantee against structural failure, especially in very large trees. Property owners may or may not choose to remove this type of tree but should be aware that if a very large tree experiences a major structural failure, the danger to nearby people or property is significant.

## Survey Area Observations

The property is located in the downtown area in the City of San Jose. The lot is roughly rectangular and is flat and is currently used as a parking lot for AT&T.

## Tree Health on This Property

Generally, the health of the trees in the survey area range from fair to fair/poor. All trees on this property are recommended for removal. Individual issues and recommendations for each tree are listed under the "Notes" column on the accompanying data sheet.

## Tree Structure on This Property

Ideally, trees are pruned for structure when young and are properly maintained to reduce end-weight as they grow. This practice prevents excessively long, lateral branches that are prone to breaking off due to weight or wind. As mentioned above, all the trees on this property are recommended for removal and they all receive a structure rating of fair.

## Local Regulations Governing Trees

### Street Trees

Street trees are those located in the public right-of-way between the curb and sidewalk; in some locations, the public right-of-way may be up to 12 feet from the curb. The City's Department of Transportation (DOT) provides no-cost permits for pruning street trees and oversees their removal. It is illegal to prune or remove a street tree without a permit; fines up to \$15,000 per tree may apply. Get a permit by visiting [DOT's Street Trees and Permits web page](#), or contact the City Arborist at 408-794-1901 or [arborist@sanjoseca.gov](mailto:arborist@sanjoseca.gov).

### Heritage Trees

The City's Heritage Tree List identifies more than 100 trees with special significance to the community because of their size, history, unusual species, or unique quality. This list may be updated to add or delete certain trees; see the City's [Heritage Tree Map](#). Pursuant to [Chapter 13.28 of the San Jose Municipal Code](#), it is illegal to prune or remove a heritage tree without first consulting the City Arborist and obtaining a permit; fines up to \$30,000 per tree may apply. For questions regarding Heritage Trees, please contact the City Arborist at (408) 794-1901 or [arborist@sanjoseca.gov](mailto:arborist@sanjoseca.gov)

### Ordinance-Size Trees

An ordinance-size tree on private property is either:

- Single Trunk - 38 inches or more in circumference at 4 1/2 feet above ground, or
- Multi-trunk - The combined measurements of each trunk circumference, at 4 1/2 feet above ground, add up to 38 inches or more in circumference.

## **Risks to Trees by Construction**

Besides the above-mentioned health and structure-related issues, the trees at this site could be at risk of damage by construction or construction procedures that are common to most construction sites. These procedures may include the dumping or the stockpiling of materials over root systems; the trenching across the root zones for utilities or for landscape irrigation; or the routing of construction traffic across the root system resulting in soil compaction and root dieback. It is therefore essential that Tree Protection Fencing be used as per the Architect's drawings. In constructing underground utilities, it is essential that the location of trenches be done outside the drip lines of trees except where approved by the Arborist.

## **City of San Jose's Tree Protection Standards**

The applicant shall maintain the trees and other vegetation shown to be retained in this project and as noted on the Approved Plan Set. Maintenance shall include pruning and watering as necessary and protection from construction damage. Prior to the removal of any tree on the site, all trees to be preserved shall be permanently identified by metal numbered tags. Prior to issuance of the Grading Permit or removal of any tree, all trees to be saved shall be protected by chain link fencing, or other fencing type approved by the Director of Planning. Said fencing shall be installed at the dripline of the tree in all cases and shall remain during construction. No storage of construction materials, landscape materials, vehicles or construction activities shall occur within the fenced tree protection area. Any root pruning required for construction purposes shall receive prior review and approval, and shall be supervised by the consulting licensed arborist. Fencing and signage shall be maintained by the applicant to prevent disturbances during the full length of the construction period that could potentially disrupt the habitat or trees.

## **General Tree Protection Plan**

Protective fencing is required to be provided during the construction period to protect trees to be preserved. This fencing must protect a sufficient portion of the root zone to be effective. Fencing is recommended to be located 8 to 10 X the diameter at breast height (DBH) in all directions from the tree. DBH for each tree is shown in the attached data table. The minimum recommendation for tree protection fencing location is 6 X the DBH, where a larger distance is not possible. There are areas where we will amend this distance based upon tree condition and proposed construction. In my experience, the protective fencing must:

- a. Consist of chain link fencing and having a minimum height of 6 feet.
- b. Be mounted on steel posts driven approximately 2 feet into the soil.
- c. Fencing posts must be located a maximum of 10 feet on center.
- d. Protective fencing must be installed prior to the arrival of materials, vehicles, or equipment.

- e. Protective fencing must not be moved, even temporarily, and must remain in place until all construction is completed, unless approved by a certified arborist.
- f. Tree Protection Signage shall be mounted to all individual tree protection fences.

Based on the existing development and the condition and location of trees present on site, the following is recommended:

1. The Project Arborist is Michael Young (650) 321-0202. A Project Arborist should supervise any excavation activities within the tree protection zone of these trees.
2. Any roots exposed during construction activities that are larger than 2 inches in diameter should not be cut or damaged until the project Arborist has an opportunity to assess the impact that removing these roots could have on the trees.
3. The area under the drip line of trees should be thoroughly irrigated to a soil depth of 18" every 3-4 weeks during the dry months.
4. Mulch should cover all bare soils within the tree protection fencing. This material must be 6-8 inches in depth after spreading, which must be done by hand. Course wood chips are preferred because they are organic and degrade naturally over time.
5. Loose soil and mulch must not be allowed to slide down slope to cover the root zones or the root collars of protected trees.
6. There must be no grading, trenching, or surface scraping inside the driplines of protected trees, unless specifically approved by a Certified Arborist. For trenching, this means:
  - a. Trenches for any underground utilities (gas, electricity, water, phone, TV cable, etc.) must be located outside the driplines of protected trees, unless approved by a Certified Arborist. Alternative methods of installation may be suggested.
  - b. Landscape irrigation trenches must be located a minimum distance of 10 times the trunk diameter from the trunks of protected trees unless otherwise noted and approved by the Arborist.
7. Materials must not be stored, stockpiled, dumped, or buried inside the driplines of protected trees.
8. Excavated soil must not be piled or dumped, even temporarily, inside the driplines of protected trees.
9. Landscape materials (cobble, decorative bark, stones, fencing, etc.) must not be installed directly in contact with the bark of trees because of the risk of serious disease infection.
10. Landscape irrigation systems must be designed to avoid water striking the trunks of trees, especially oak trees.
11. Any pruning must be done by a Company with an Arborist Certified by the ISA (International Society of Arboriculture) and according to ISA, Western Chapter Standards, 1998.
12. Any plants that are planted inside the driplines of oak trees must be of species that are compatible with the environmental and cultural requirements of oak trees. A publication detailing plants compatible with California native oaks can be obtained from The California Oak Foundation's 1991 publication "Compatible Plants Under & Around

Oaks" details plants compatible with California native oaks and is currently available online at: <http://californiaoaks.org/wp-content/uploads/2016/04/CompatiblePlantsUnderAroundOaks.pdf>

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I certify that the information contained in this report is correct to the best of my knowledge and that this report was prepared in good faith. Please call me if you have questions or if I can be of further assistance.

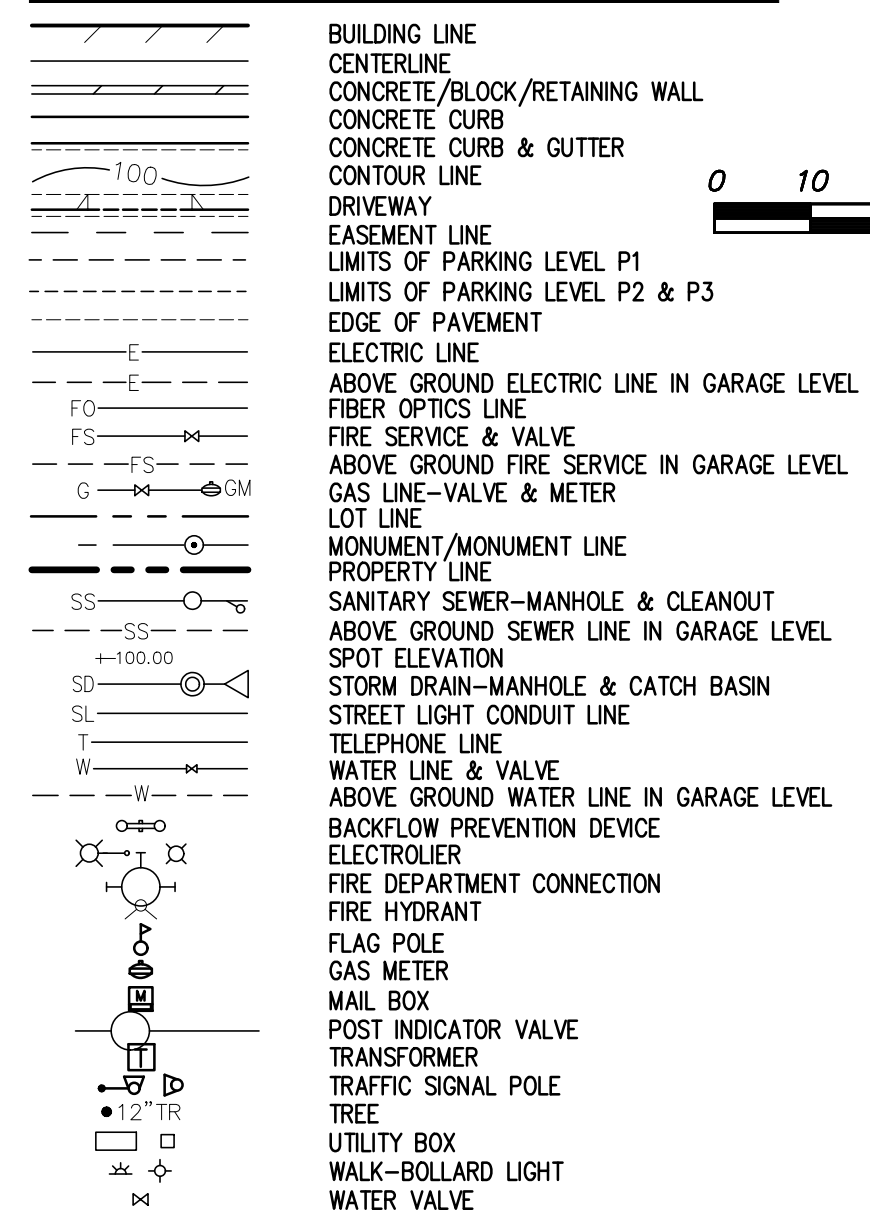
Respectfully,

A handwritten signature in cursive script, appearing to read "Michael P. Young".

Michael P. Young



**LEGEND**

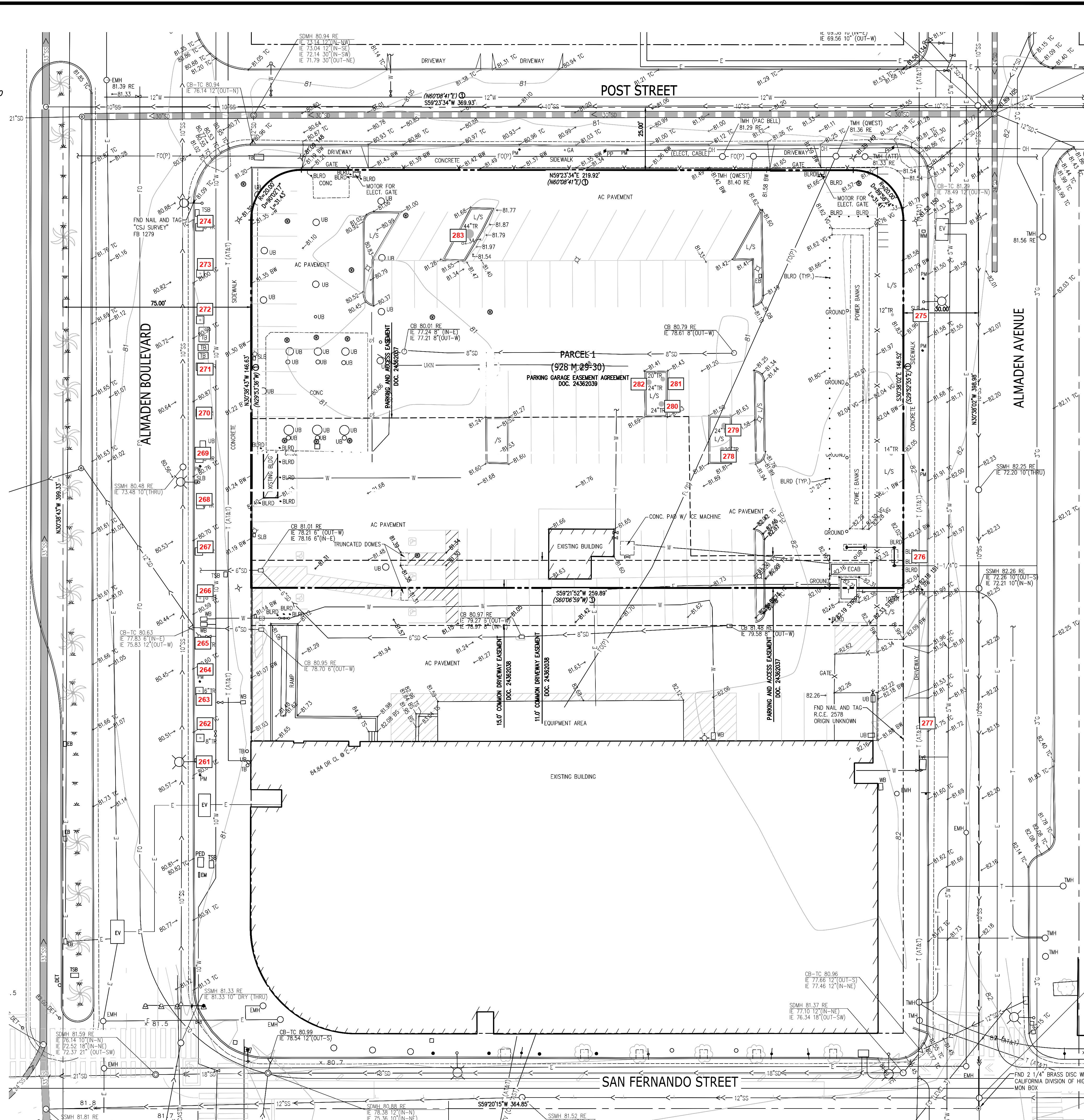


**ABBREVIATIONS**

AC	ASPHALTIC CONCRETE
BEG	BEGINNING
BLDG	BUILDING
BLRD	BOLLARD
BW	BACK OF WALK
CB	CATCH BASIN
CONC	CONCRETE
CSJ	CITY OF SAN JOSE
ECAB	ELECTRIC CABINET
EMH	ELECTRICAL MANHOLE
EV	ELECTRIC VAULT
FC	FACE OF CURB
FL	FLOW LINE
GA	GUY ANCHOR
GM	GAS METER
L/S	LANDSCAPE
LIP	LIP OF GUTTER
MH	MANHOLE
PM	PARKING METER
PP	POWER POLE
RE	RISE ELEVATION
SDMH	STORM DRAIN MANHOLE
SL	STREET LIGHT
SLB	STREET LIGHT BOX
SSMH	SANITARY SEWER MANHOLE
TC	TOP OF CURB
TMH	TELEPHONE MANHOLE
TR	TREE
TSB	TRAFFIC SIGNAL BOX
UB	UTILITY BOX
VG	VALLEY GUTTER
W/	WITH

**GENERAL NOTES**

- ALL DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
- APN: 259-39-121
- BENCHMARK: CITY OF SAN JOSE BENCHMARK "RM 126-S" THE LETTER "T" IN THE WORD "FOUNDRY" ON TOP OF CATCH BASIN, SOUTHEAST RETURN OF POST ST AND SAN PEDRO ST. F.B. 1146, PG 2. ELEVATION: 84.08 (NGVD 29)
- FLOOD ZONE NOTE:  
THE SUBJECT PROPERTY IS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR SANTA CLARA COUNTY, CALIFORNIA, MAP NUMBER 06085C0234H FOR COMMUNITY NUMBER 060349 (CITY OF SAN JOSE), WITH AN EFFECTIVE DATE OF MAY 18, 2009, AS BEING LOCATED IN FLOOD ZONE "X" AND FLOOD ZONE "D".  
ACCORDING TO FEMA THE DEFINITION OF ZONE "X" IS: AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS OF PROTECTED LEVEES FROM 1% ANNUAL CHANCE FLOOD.  
INFORMATION WAS OBTAINED FROM THE FEMA WEBSITE (WWW.FEMA.GOV) ON NOVEMBER 12, 2019.
- BASIS OF BEARINGS:  
THE BEARING OF \_\_\_\_\_ TAKEN ON THE MONUMENT LINE OF PARK AVENUE BETWEEN TWO GRANITE MONUMENTS AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF MAPS AT PAGES \_\_\_\_\_, SANTA CLARA COUNTY RECORDS WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.
- THIS MAP WAS PREPARED USING COMPUTER ASSISTED, PHOTOGRAMMETRIC METHODS BY MIRA SOLUTIONS, INC., IN UNION CITY, CALIFORNIA, IN AREAS OF DENSE VEGETATION, ACCURACY OF CONTOURS MAY DEVIATE FROM ACCEPTED ACCURACY STANDARDS. THE DATE OF PHOTOGRAPHY WAS FEBRUARY 7, 2019 AS JOB NO. A19066.
- CORNER RECORD NOTE:  
THE DEVELOPER AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR THE PREPARATION AND FILING OF PRE-CONSTRUCTION AND POST-CONSTRUCTION CORNER RECORDS FOR ANY MONUMENTS OR PROPERTY CORNERS SHOWN HEREON THAT MAY BE DESTROYED DURING IMPROVEMENTS TO THE SUBJECT PROPERTY AS DEFINED IN SECTION 8771(B) OF THE PROFESSIONAL LAND SURVEYORS ACT.



**JP DINAPOLI**  
COMPANIES INC.

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Tel 408.998.2460

**Gensler**

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San Jose, CA 95113  
United States  
Tel 408.885.8100

Civil Engineer  
3350 Scott Boulevard Bldg. 22  
Santa Clara, CA 95054  
United States  
Tel 408.727.6665

Date	Description
03.13.2020	PRELIMINARY REVIEW SUBMISSION

Seal / Signature



**NOT FOR CONSTRUCTION**

Project Name  
**Almaden Boulevard Tower**

Project Number  
**A19067**

Scale

Description  
**EXISTING CONDITIONS PLAN**

**C1.01**



TREE SURVEY DATA URBAN TREE MANAGEMENT INC., Los Gatos, CA

Address: Almaden BLVD Tower  
50 Almaden BLVD, San Jose, CA 95113  
Inspection Date: 5/21/2020  
Revised: 10/8/2020

KEY	Health	Structure
Good	excellent, vigorous	flawless
Fair, Good	no significant health concerns	very stable
Fair	declining, measures should be taken to improve health and appearance	routine maintenance needed
Fair, Poor	in decline, significant health issues	mitigation needed, it may or may not preserve this tree
Poor	dead or near dead	hazard

Ratings for health and structure are given separately for each tree according to the table below. IE, a tree may be rated "Good" under the health column For excellent, vigorous appearance and growth, while the same tree may be rated "Fair, Poor" in the structure column if structural mitigation is needed.

Tag no	Common Name	Diameter at Breast Height (in) <sup>2</sup>	W/H	HEALTH	STRUCTURE	PROTECTED (X)	RECOMMENDED REMOVAL (X)	RECOMMENDED PROTECTED REMOVAL (XX)	NOTES, RECOMMENDATIONS
261	Honey locust	9	25/25'	f	f	x		Street tree	Recommend removal due to construction limits
262	Honey locust	2.5	10/12'	f	f	x		Street tree	Recommend removal due to construction limits
263	Honey locust	7.5	20/25'	f	f	x		Street tree	Recommend removal due to construction limits
264	Honey locust	7.25	20/25'	f	f	x		Street tree	Recommend removal due to construction limits
265	Honey locust	7	15/20'	f	f	x		Street tree	Recommend removal due to construction limits
266	Honey locust	8.75	25/25'	f	f	x		Street tree	Recommend removal due to construction limits
267	Honey locust	9	25/25'	f	f	x		Street tree	Recommend removal due to construction limits
268	Honey locust	7	20/20'	f	f	x		Street tree	Recommend removal due to construction limits
269	Honey locust	9.5	30/30'	f	f	x		Street tree	Recommend removal due to construction limits
270	Honey locust	6.5	12/15'	f	f	x		Street tree	Recommend removal due to construction limits
271	Honey locust	7	12/15'	f	f	x		Street tree	Recommend removal due to construction limits
272	Honey locust	8.5	30/25'	f	f	x		Street tree	Recommend removal due to construction limits
273	Honey locust	7	20/20'	fp	f	x		Street tree	Recommend removal due to construction limits
274	Honey locust	7.5	15/25'	fp	f	x		street tree	Recommend removal due to construction limits
275	Southern magnolia	13.5	30/30'	fp	f	x		Private property tree	Recommend removal due to construction limits
276	Southern magnolia	14	30/30'	f	f	x		Private property tree	Recommend removal due to construction limits
277	Southern magnolia	10	25/25'	fp	f	x		Private property tree	Recommend removal due to construction limits
278	California fan palm	22	15/40'	f	f	x		Private property tree	Recommend removal due to construction limits
279	California fan palm	25.5	15/45'	f	f	x		Private property tree	Recommend removal due to construction limits
280	California fan palm	26	20/50'	f	f	x		Private property tree	Recommend removal due to construction limits
281	California fan palm	20	15/40'	f	f	x		Private property tree	Recommend removal due to construction limits
282	California fan palm	25	15/45'	f	f	x		Private property tree	Recommend removal due to construction limits
283	Elm	44	50/60'	f	f	x		Private property tree	Recommend removal due to construction limits
				TOTAL TREES	23				
				PROTECTED TOTAL		23			
				RECOMMENDED REMOVAL TOTAL			0		
				RECOMMENDED PROTECTED REMOVALS TOTAL				23	

KEY TO ACRONYMS

- DWR - Dead Wood Removal
- EWR - End Weight Reduction: pruning to remove weight from limb ends, thus reducing the potential for limb failure
- RCE - Root Collar Excavation: excavating a small area around a tree that is currently buried by soil or refuse above buttress roots, usually done with a hand shovel.
- SP - Structural pruning - removal of selected non-dominant leaders in order to balance the tree

**Street Trees**  
Street trees are those located in the public right-of-way between the curb and sidewalk; in some locations, the public right-of-way may be up to 12 feet from the curb. The City's Department of Transportation (DOT) provides no-cost permits for pruning street trees and oversees their removal. It is illegal to prune or remove a street tree without a permit: fines up to \$15,000 per tree may apply. Get a permit by visiting DOT's [Street Trees and Permits web page](#), or contact the City Arborist at 408-794-1901 or [arborist@sanjoseca.gov](mailto:arborist@sanjoseca.gov).

**Heritage Trees**  
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**Ordinance-Size Trees**  
An ordinance-size tree on private property is either:  
Single Trunk - 38 inches or more in circumference at 4 1/2 feet above ground, or  
Multi-trunk - The combined measurements of each trunk circumference, at 4 1/2 feet above ground, add up to 38 inches or more in circumference.

For multifamily, commercial, and industrial properties, a permit is required for the removal of trees of any size. For trees on these properties, a Tree Removal Permit is required if the tree is ordinance sized, or a Permit Adjustment is required if the tree is smaller than ordinance sized.

On multifamily, commercial, or industrial lots, a permit is required to remove a tree of any size. A Tree Removal Permit is required if the tree is ordinance-size. A Permit Adjustment is required if the tree is smaller than ordinance-size.

Common Name	Latin Name
Honey locust	<i>Gleditsia triacanthos</i>
Southern magnolia	<i>Magnolia grandiflora</i>
California fan palm	<i>Washingtonia filifera</i>
Elm	<i>Ulmus sp.</i>



### ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided to this arborist is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as to the quality of any title.
2. This arborist can neither guarantee nor be responsible for accuracy of information provided by others.
3. This arborist shall not be required to give testimony or to attend court by reason of the information provided by this arborist unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire report.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person(s) to whom it is addressed without written consent of this arborist.
6. This report and the values expressed herein represent the opinion of this arborist, and this arborist's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches, diagrams, graphs, photos, etc., in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraisal/evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. This arborist cannot take responsibility for any defects which could only have been discovered by climbing. A full root collar inspection, consisting of excavating the soil around the tree to uncover the root collar and major buttress roots, was not performed, unless otherwise stated. This arborist cannot take responsibility for any root defects which could only have been discovered by such an inspection.

### ARBORIST DISCLOSURE STATEMENT

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 trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.