



- Tree Protection Plan -

**PNW HOME BUYER - IGOR GORBUN SUBDIVISION**

308 23<sup>rd</sup> Ave.  
Milton WA 98354

Prepared for: PNW Home Buyers, LLC  
Prepared by: Washington Forestry Consultants, Inc.  
Date of Report: November 15, 2019

## **Introduction**

The project proponent is planning on demolishing an existing home and building 6 single-family homes on 1.58 acres in Milton. The proponent has retained WFCI to:

- Evaluate all deciduous trees 6 inches in diameter at breast height (DBH) and larger and all conifers 10 ft. in height or taller.
- Make recommendations for retention of significant trees, along with any required protection and cultural measures.
- Prepare a Tree Protection Plan pursuant to Milton Municipal Code 17.44.110.

## **Observations**

### **Methodology**

WFCI has evaluated deciduous trees 6 inches diameter at breast height (DBH) and larger and coniferous trees 10 ft. tall and larger in the proposed project area, and assessed their potential to be incorporated into the new project. Potential save trees were given a tree risk assessment evaluation as well. All healthy trees are painted with a blue number corresponding to the table in Attachment 3. Unhealthy trees are similarly marked in orange.

The tree evaluation phase used methodology developed by Nelda Matheny and Dr. James Clark in their 1998 publication Trees and Development: A Technical Guide to Preservation of Trees During Land Development.<sup>1</sup>

### Site Description

The site consists of one rectangular parcel 1.58 acres in size. It is mostly flat and bordered to the west by 23<sup>rd</sup> Ave. and on all other sides by residential properties. There is one abandoned home on the site and no other improvements.

### Soil Depth and Productivity

There is one soil type in the project area, the Alderwood gravelly sandy loam. The Alderwood gravelly sandy loam is a moderately deep, moderately well drained soil found on glacial till plains. It is formed in ablation till overlying basal till. A weakly cemented hardpan is at a depth of 20 to 40 inches. Permeability is moderately rapid above the hardpan and very slow in the pan. Available water capacity is low. The effective rooting depth for trees is 20-40 inches. A perched seasonal high water table is at a depth of 18-36 inches from November to March. The potential for windthrow of trees is moderate under normal conditions. New trees require irrigation for establishment.

**In areas where grading brings the hardpan nearer to the surface, the hardpan must be fractured under new trees to provide soil volume for root development and to improve drainage around the tree.**

### Tree Conditions

The trees on the site have been stratified into 2 forest cover types for the purposes of description.

Forest Cover Type 1 is a stand of widely scattered groves and individual trees near the existing home. Trees include native and introduced species including Douglas-fir (*Pseudotsuga menziesii*), bigleaf maple (*Acer macrophyllum*), red alder (*Alnus rubra*), English hawthorn (*Crataegus laevigata*), English holly (*Ilex aquifolium*), cherry (*Prunus avium*), and apple (*Malus domestica*).

There are 12 trees in this cover type that range in size from 9.5 to 38 inches DBH. Tree condition ranges from 'Very Poor' to 'Fair,' with half (6) of the trees described as being in 'Fair' condition. These 12 trees are described individually in Table 1 below.

Understory vegetation is sparse and include mostly grasses, blackberry (*Rubus armeniacus*), and broadleaved weeds.

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<sup>1</sup> Nelda Metheny and James R. Clark. (1994). A Fair Photographic Guide to the Evaluation of Hazard Trees in Urban Areas (2nd Edition). International Society of Arboriculture, Champaign, IL.

**Table 1.** List of Trees in Cover Type I.

Tree #	Species	DBH (in.)	Condition	Save Based on Condition Alone? Yes or No	Save Based on Site Plan? Save or Remove	# of Required Replacement Trees
1	Bigleaf Maple	11, 12, 13, 14, 11	Fair	Yes	Remove - In Footprint	7
2	Douglas-fir	16	Fair	Yes	Remove - In Footprint	2
3	Red Alder	15, 15	Poor - Stem Decay	No	Remove - Poor Condition	0
4	Douglas-fir	13	Fair	Yes	Remove - In Footprint	2
5	Cherry	17	Very Poor - Mostly Dead	No	Remove - Poor Condition	0
6	Apple	7.5	Very Poor - Falling Over	No	Remove - Poor Condition	0
7	Hawthorn	10	Poor - Dieback	No	Remove - Poor Condition	0
8	Bigleaf Maple	38	Poor - Dieback, Decline	No	Remove - Poor Condition	0
9	Bigleaf Maple	16, 17, 18	Fair	Yes	Remove - In Footprint	7
10	Bigleaf Maple	25, 27, 18	Fair	Yes	Remove - In Footprint	7
11	English Holly	9.5	Fair	Yes	Remove - Invasive	0
12	Red Alder	14, 7	Very Poor - Mostly Dead	No	Remove - Poor Condition	0
	<b>Sum</b>					<b>25</b>



**Photo 1.** View of trees in Cover Type I

Forest Cover Type II is a mature stand of Douglas-fir with some smaller bigleaf maple trees in the understory. There are 51 significant trees in this cover type ranging in size from 7 to 50 inches DBH. Tree condition ranges from ‘Very Poor’ to ‘Good,’ with most trees described as being in ‘Fair’ condition or better. These trees are summarized in Table 2 below.

**Table 2.** Summary of Trees in Cover Type II

Species	DBH Range (in.)	Condition Range	# of Healthy Trees	# of Unhealthy Trees	Total Trees	% Composition
Douglas-fir	9 - 50	‘Very Poor’ - ‘Good’	37	8	45	86.5%
Bigleaf Maple	7 - 17	‘Poor’ - ‘Good’	5	2	7	13.5%
<b>Total</b>	7 - 50	‘Very Poor’ - ‘Good’	42	10	52	100%

Understory vegetation is shrubby and includes blackberry, trailing blackberry (*Rubus ursinus*), salal (*Gaultheria shallon*), western hazel (*Corylus cornuta*), English ivy (*Hedera helix*), English holly, snowberry (*Symphoricarpos alba*), and sword fern (*Polystichum munitum*).



**Photo 2.** View of trees in Cover Type II

### Off-Site Trees

There are 6 off-site trees to the east of the project area that occur in a stand that is contiguous with the trees in Cover Type II. They will need to be protected from the impacts of construction if they are to be retained during development. They are described in Table 3. below, and their locations are illustrated on the aerial photo in Attachment 1.

**Table 3.** Description of Off-Site Trees near 308 23<sup>rd</sup> Ave. Project Ara

Tree #	Species	DBH (in.)	Condition	Minimum Root Protection Zone	Location
65	Douglas-fir	25	Fair	19W	2434 Diamond St.
66	Douglas-fir	17	Fair	16W	2434 Diamond St.
67	Douglas-fir	27	Fair	18W	2434 Diamond St.
68	Douglas-fir	23	Fair	14W	2434 Diamond St.
69	Douglas-fir	16	Fair	14W	2428 Diamond St.
70	Douglas-fir	26	Fair	17W	2428 Diamond St.

## Discussion

### Potential for Tree Retention

Milton Municipal Code (MMC) requires as many significant trees to be retained as possible. Significant trees that cannot be reasonably retained shall be replaced at a ratio according to their size as described in MMC 17.44.110 G. 4. Ten (10) of the 64 total trees on the site can be retained based on their condition and location on the perimeter of the project area. The locations of these trees are illustrated on the aerial photo in Attachment 1. The following is a summary of our tree retention and replacement requirements.

Total # of Trees in Project Area:	64 Trees
Trees Excluded from Replacement Calculations: (Dead, Diseased, Dying, or Dangerous)	16 Trees
Trees Available for Retention:	<u>10 Trees</u>
# of Trees to Replace:	37 Trees
Average # of Replacement Trees per Tree Removed :	2.46 Trees
Total # of Replacement Trees Required: (2.46 x 37 Trees to Replace)	91 Replacement Trees

By retaining 10 healthy trees at the margins of the project area, this plan requires the removal of 37 healthy significant trees in the footprint of proposed improvements. Removing these 37 trees will require 91 replacement trees to be installed in the project area. Trees are to be planted on 30 ft. centers or similar and shall be 10 ft. tall if coniferous in most cases, or 2 inches in caliper at the time of planting if deciduous.

Planting all 91 trees on site is not possible given the required spacing. It is allowed under section 17.44.110 N. of MMC to decrease the replanting requirement if there is an increase in area planted with shrubs.

### Street Trees

The project area includes about 230 of frontage along 23<sup>rd</sup> St. Table 17.44.110 in MMC indicates Village Green Japanese zelkova (*Zelkova serrata* ‘Village Green’) is the variety to be planted along this frontage. It will take 7 trees, planted on 35 ft. centers to plant this area.

## **Tree Protection Measures**

Trees to be saved must be protected during construction by a six foot high chain link fencing (Attachment 5.), located 5 feet outside of the drip line of the trees. Placards shall be placed on the fencing every 50 feet indicating the words, "NO TRESPASSING - Protected Trees". The individual CRZ are a radius of one foot for each one inch of DBH (6 feet minimum), unless otherwise delineated by WFCI.

There should be no equipment activity (including rototilling) within the critical root zone. No irrigation lines, trenches, or other utilities should be installed within the CRZ. Cuts or fills should impact no more than 25% of a tree's root system. If topsoil is added to the root zone of a protected tree, the depth should not exceed 2 inches of a sandy loam or loamy fine sand topsoil and should not cover more than 25% of the root system.

If roots are encountered outside the CRZ during construction, they should be cut cleanly with a saw and covered immediately with moist soil. Noxious vegetation within the critical root zone should be removed by hand. If a proposed save tree must be impacting by grading or fills, then the tree should be re-evaluated by WFCI to determine if the tree can be saved with mitigating measures, or if the tree should be removed.

## **Pruning and Thinning**

All individual trees to be saved near or within developed areas should have their crowns raised to provide a minimum of 8 feet of ground clearance over sidewalks and landscape areas, 15 feet over parking lots or streets, and at least 10 feet of building clearance.

All pruning should be done according to the ANSI A300 standards for proper pruning, and be completed by an International Society of Arboriculture Certified Arborist<sup>®</sup>, or be supervised by a Certified Arborist<sup>®</sup>.

## **Conclusions and Timeline for Activity**

1. The final, approved tree protection plan map should be included in the construction drawings for bid and construction of the project and should be labeled as such.
2. Stake and heavily flag the clearing limits.
3. Contact WFCI to attend pre-job conference and discuss tree protection issues with contractors. WFCI can verify all trees to be saved and/or removed are adequately marked for retention.
4. Complete logging. Complete necessary hazard tree removals and invasive plant removals from the tree protection areas. No equipment should enter the tree protection areas during logging.
5. Install tree protection fences along the 'limits of construction'. The fences should be located at the limits of construction or 5 feet outside of the drip line of the save tree or as otherwise specified by WFCI. Maintain fences throughout construction.
6. Complete clearing of the project.

7. Do not excavate stumps within 10' of trees to be saved. These should be individually evaluated by WFCI to determine the method of removal.
8. Complete all necessary pruning on save trees or stand edges to provide at least 8' of ground clearance near sidewalks and trails, and 15' above all driveways or access roads.
9. Complete grading and construction of the project.

### Summary

There are 48 healthy trees in the buildable area of a 6-lot residential subdivision on 23<sup>rd</sup> Ave. in Milton. Ten (10) on-site trees and 6 off-site are proposed for retention in this project area. Thirty-seven (37) healthy, significant trees and 1 invasive tree will need to be removed to make room for improvements on the site. This will require 91 replacement trees to be replanted, including 8 street trees along 23<sup>rd</sup> Ave. It is not possible to replant all 91 trees on the site, so a corresponding area will need to be planted with shrubs to make up for any reduction in the numbers of trees planted. All trees to be retained will need to be protected with tree protection fencing.

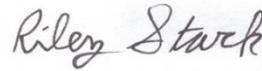
Please give us a call if you have any further questions.

Respectfully submitted,

Washington Forestry Consultants, Inc.



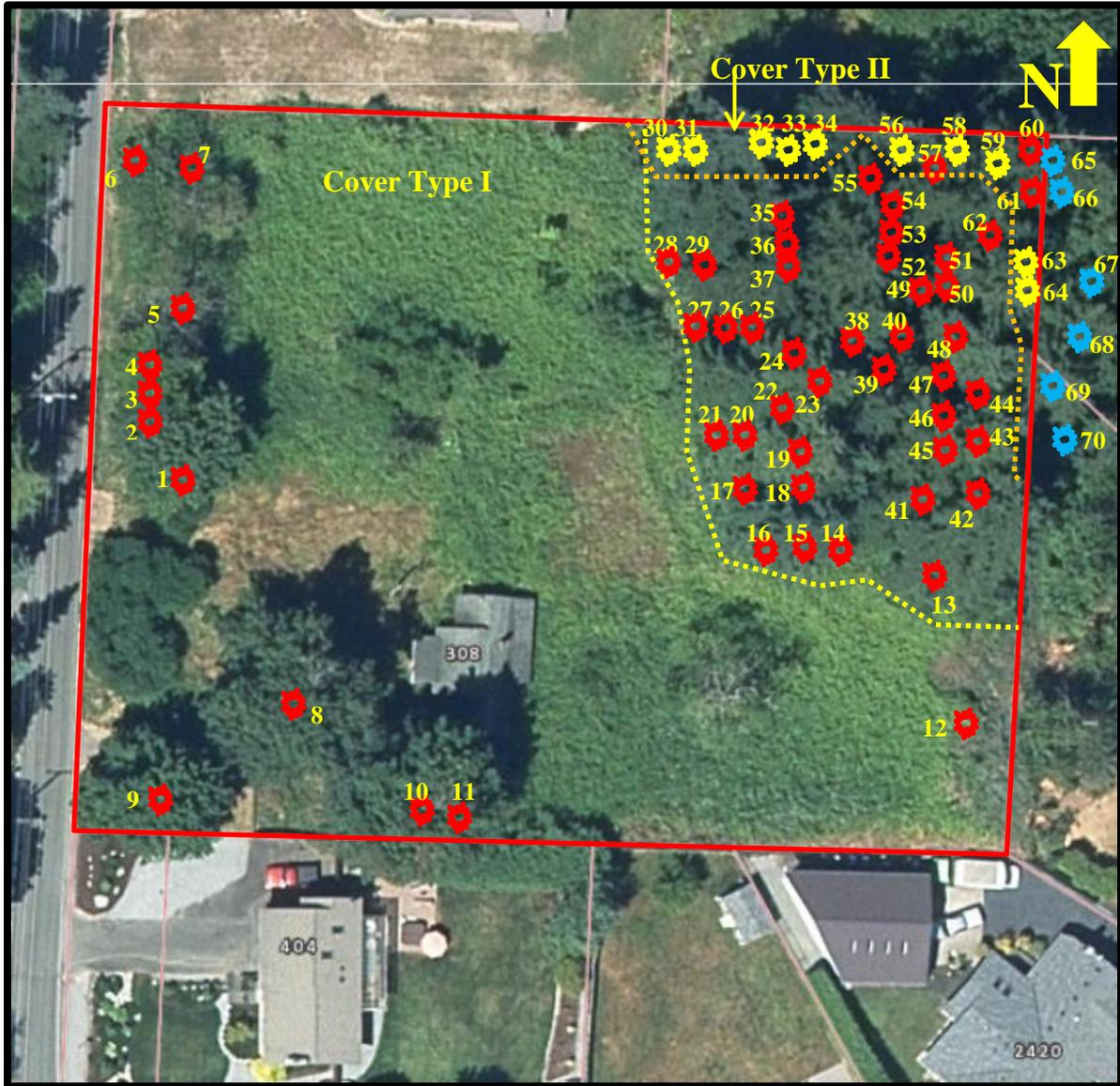
Galen M. Wright, ACF, ASCA  
ISA Bd. Certified Master Arborist PN-129B  
Certified Forester No. 44  
ISA Tree Risk Assessor Qualified



Riley Stark, Professional Forester  
ISA Bd. Certified Master Arborist  
Municipal Specialist, PN-7780BM  
ISA Tree Risk Assessor Qualified

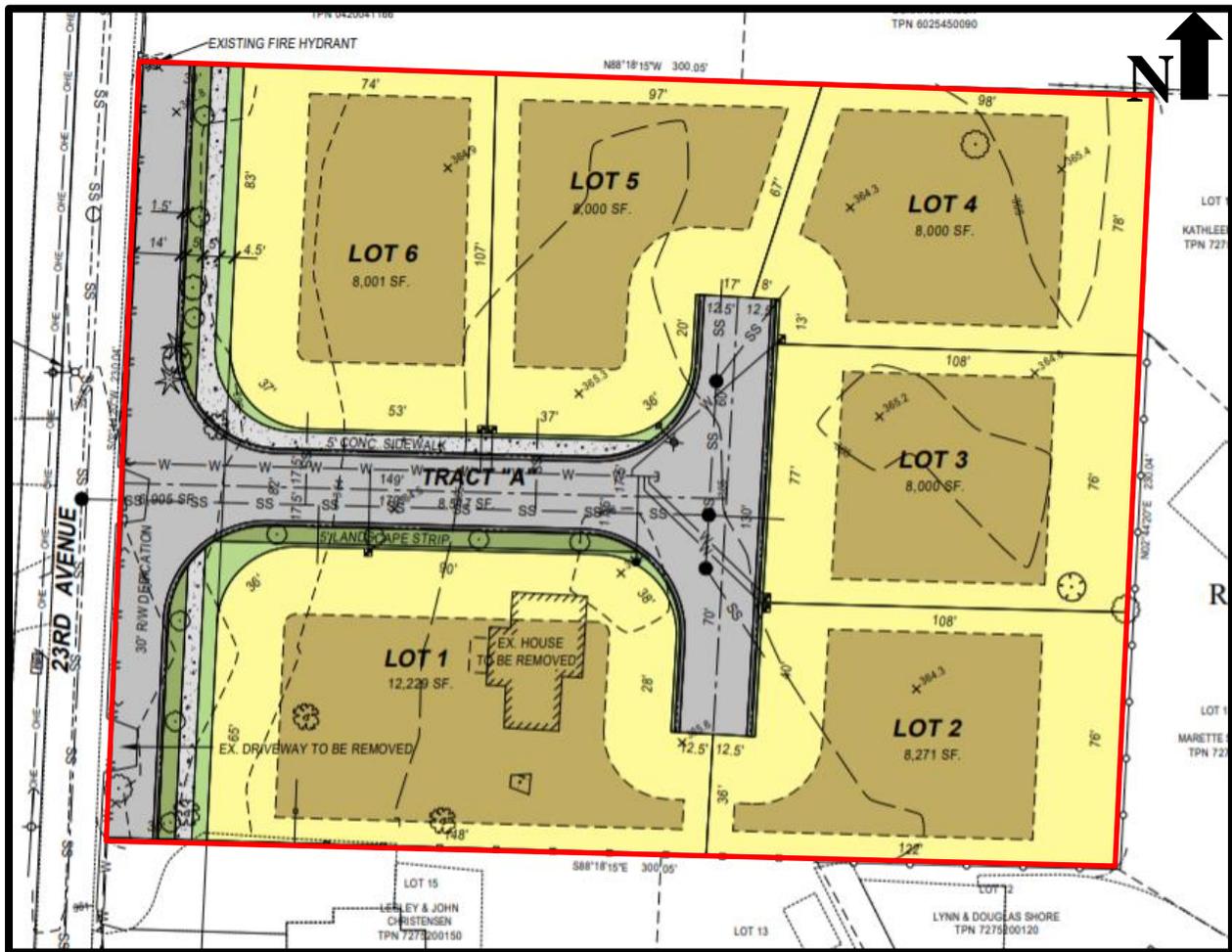
**Attachment 1. Aerial Photo of 308 23<sup>rd</sup> Ave. with Tree Locations Indicated**

(2015 Pierce County Public GIS)



-  Project Area Boundary
-  Location of Tree to Remove
-  Location of Tree to Retain
-  Location of Off-Site Tree
-  Tree Protection Fencing
-  Cover Type Boundary

Attachment 2. Site Plans



— Project Area Boundary

**Attachment 3. List of Trees at 308 23<sup>rd</sup> Ave. in Milton**

Tree #	Species	DBH (in.)	Condition	Save Based on Condition Alone? Yes or No	Save Based on Site Plan? Save or Remove	Minimum Root Protection Zone (ft. Radius, Direction)	Cover Type	# of Required Replacement Trees.
1	Bigleaf Maple	11, 12, 13, 14, 11	Fair	Yes	Remove	18E	I	7
2	Douglas-fir	16	Fair	Yes	Remove	12E	I	2
3	Red Alder	15, 15	Poor - Stem Decay	No	Remove	N/A	I	0
4	Douglas-fir	13	Fair	Yes	Remove	10E	I	2
5	Cherry	17	Very Poor - Mostly Dead	No	Remove	N/A	I	0
6	Apple	7.5	Very Poor - Falling Over	No	Remove	N/A	I	0
7	Hawthorn	10	Poor - Dieback	No	Remove	N/A	I	0
8	Bigleaf Maple	38	Poor - Dieback, Decline	No	Remove	N/A	I	0
9	Bigleaf Maple	16, 17, 18	Fair	Yes	Remove	18N	I	7
10	Bigleaf Maple	25, 27, 18	Fair	Yes	Remove	24N	I	7
11	English Holly	9.5	Fair	Yes	Remove - Invasive	N/A	I	0
12	Red Alder	14, 7	Very Poor - Mostly Dead	No	Remove	N/A	I	0
13	Douglas-fir	50	Good	Yes	Remove	28A*	II	2
14	Douglas-fir	23	Fair	Yes	Remove	18S 6W 12N 14E	II	2
15	Douglas-fir	24	Fair	Yes	Remove	16S 6W 14N 6E	II	2
16	Douglas-fir	35	Good	Yes	Remove	20S 20W 12N 6E	II	2
17	Douglas-fir	36	Good	Yes	Remove	20S 12W 12N 14E	II	2
18	Douglas-fir	22	Fair	Yes	Remove	12S 14W 6N 14E	II	2
19	Douglas-fir	21	Fair	Yes	Remove	6S 12W 14N 12E	II	2
20	Douglas-fir	32	Good	Yes	Remove	14S 18W 16N 14E	II	2
21	Douglas-fir	23	Good	Yes	Remove	12S 17W 13N 12E	II	2

PNW Home Buyer LLC - Igor Gorbun Subdivision Tree Protection Plan

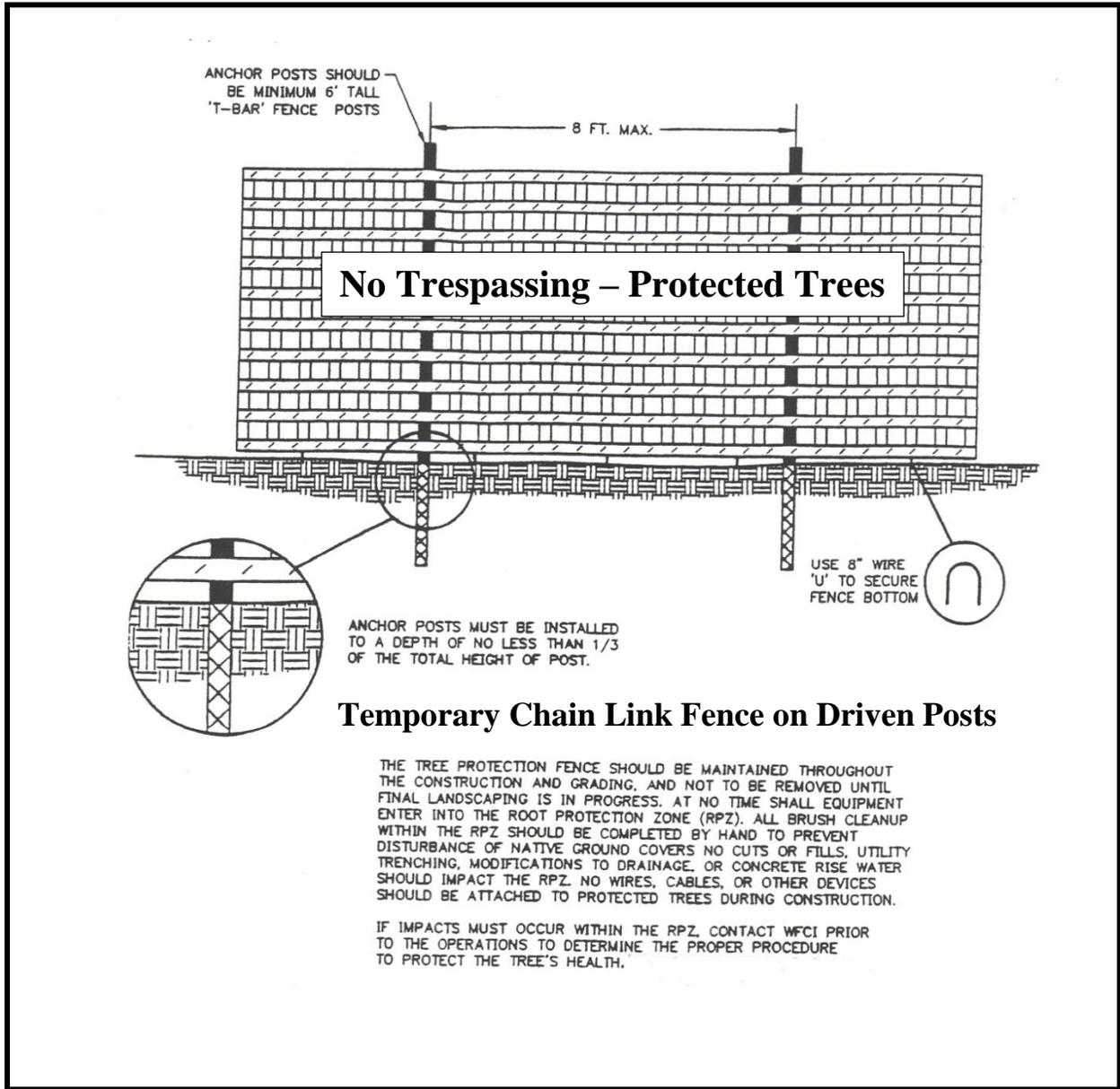
Tree #	Species	DBH (in.)	Condition	Save Based on Condition Alone? Yes or No	Save Based on Site Plan? Save or Remove	Minimum Root Protection Zone (ft. Radius, Direction)	Cover Type	# of Required Replacement Trees.
22	Douglas-fir	15	Fair	Yes	Remove	10A*	II	2
23	Douglas-fir	21	Fair	Yes	Remove	14S 12W 16N 14E	II	2
24	Douglas-fir	25	Fair	Yes	Remove	18S 14W 16N 14E	II	2
25	Douglas-fir	16	Poor - Suppressed	No	Remove	N/A	II	0
26	Douglas-fir	19	Fair	Yes	Remove	12S 6W 12N 14E	II	2
27	Douglas-fir	29	Good	Yes	Remove	16S 18W 14N 16E	II	2
28	Douglas-fir	35	Good	Yes	Remove	14S 19W 18N 20E	II	2
29	Douglas-fir	18	Fair	Yes	Remove	12S 14W 12N 14E	II	2
30	Douglas-fir	32	Good	Yes	Save	18S 18W 10N 18E	II	0
31	Douglas-fir	10	Fair	Yes	Save	6A*	II	0
32	Bigleaf Maple	6, 17	Fair	Yes	Save	17S 17W 10N 12E	II	0
33	Bigleaf Maple	7	Good	Yes	Save	8A*	II	0
34	Douglas-fir	18	Fair	Yes	Save	17S 17W 10N 12E	II	0
35	Bigleaf Maple	9	Fair	Yes	Remove	9A	II	3
36	Douglas-fir	23	Fair	Yes	Remove	14S 16W 10N 14E	II	2
37	Douglas-fir	13	Fair	Yes	Remove	10S 10W 10N 8E	II	2
38	Douglas-fir	17	Fair	Yes	Remove	10S 10W 10N 8E	II	2
39	Douglas-fir	27	Good	Yes	Remove	2S0 12W 20N 14E	II	2
40	Douglas-fir	27	Fair	Yes	Remove	20S 12W 20N 16E	II	2
41	Bigleaf Maple	8	Fair	Yes	Remove	6S 10W 8N 6E	II	3
42	Douglas-fir	17	Fair	Yes	Remove	14S 14W 12N 8E	II	2
43	Douglas-fir	15	Poor - Suppressed	No	Remove	N/A	II	0
44	Douglas-fir	24	Fair	Yes	Remove	18S 12W 16N 14E	II	2
45	Douglas-fir	27	Fair	Yes	Remove	18S 18W 20N 20E	II	2
46	Bigleaf Maple	8	Poor - Stem	No	Remove	N/A	II	0

PNW Home Buyer LLC - Igor Gorbun Subdivision Tree Protection Plan

Tree #	Species	DBH (in.)	Condition	Save Based on Condition Alone? Yes or No	Save Based on Site Plan? Save or Remove	Minimum Root Protection Zone (ft. Radius, Direction)	Cover Type	# of Required Replacement Trees.
			Defect					
47	Douglas-fir	13	Fair	Yes	Remove	10S 8W 8N 12E	II	2
48	Douglas-fir	25	Fair	Yes	Remove	19S 19W 19N 14E	II	2
49	Douglas-fir	13	Poor - Suppressed	No	Remove	N/A	II	0
50	Douglas-fir	28	Fair	Yes	Remove	21S 16W 21N 22E	II	2
51	Douglas-fir	17	Fair	Yes	Remove	14A*	II	2
52	Douglas-fir	9	Poor - Suppressed	No	Remove	N/A	II	0
53	Douglas-fir	19, 9	Fair	Yes	Remove	16S 14W 12N14E	II	2
54	Douglas-fir	12	Poor - Suppressed	No	Remove	N/A	II	0
55	Douglas-fir	13	Poor - In Decline	No	Remove	N/A	II	0
56	Douglas-fir	21.5	Good	Yes	Save	16A*	II	0
57	Bigleaf Maple	17	Very Poor - Stem Defect	No	Remove	N/A	II	0
58	Douglas-fir	17	Fair	Yes	Save	6S 12W 12N 8E	II	0
59	Douglas-fir	26	Good	Yes	Save	17S 17W 6N 12E	II	0
60	Douglas-fir	25	Poor - Stem Decay	No	Remove	N/A	II	0
61	Douglas-fir	11	Poor - Suppressed	No	Remove	N/A	II	0
62	Douglas-fir	19	Fair	Yes	Remove	15S 15W 14N 10E	II	2
63	Bigleaf Maple	15	Fair	Yes	Save	6S 16W 10N 8E	II	0
64	Douglas-fir	28	Fair	Yes	Save	20S 22W 18N 6E	II	0
65	Douglas-fir	25	Fair	Yes	Save	19W	II	Off-Site
66	Douglas-fir	17	Fair	Yes	Save	16W	II	Off-Site
67	Douglas-fir	27	Fair	Yes	Save	18W	II	Off-Site
68	Douglas-fir	23	Fair	Yes	Save	14W	II	Off-Site
69	Douglas-fir	16	Fair	Yes	Save	14W	II	Off-Site
70	Douglas-fir	26	Fair	Yes	Save	17W	II	Off-Site

\*All Directions - Open Grown

### Attachment 4. Tree Protection Fence Detail



## **Attachment 5. Description of Tree Evaluation Methodology**

The evaluation of the tree condition on this site included the visual assessment of:

1. Live-crown ratio,
2. Lateral and terminal branch growth rates,
3. Presence of dieback in minor and major scaffold branches and twigs,
4. Foliage color,
5. Stem soundness and other structural defects,
6. Visual root collar examination,
7. Presence of insect or disease problems.
8. Windfirmness if tree removal will expose this tree to failure.

In cases where signs of internal defect or disease were suspected, a core sample was taken to look for stain, decay, and diameter growth rates. Also, root collars were exposed to look for the presence of root disease.

In all cases, the overall appearance of the tree was considered relative to its ability to add value to either an individual lot or the entire subdivision. Also, the scale of the tree and its proximity to both proposed and existing houses was considered.

Lastly, the potential for incorporation into the project design is evaluated, as well as potential site plan modifications that may allow otherwise removed tree(s) to be both saved and protected in the development.

Trees that are preserved in a development must be carefully selected to make sure that they can survive construction impacts, adapt to a new environment, and perform well in the landscape. Healthy, vigorous trees are better able to tolerate impacts such as root injury, changes in soils moisture regimes, and soil compaction than are low vigor trees.

Structural characteristics are also important in assessing suitability. Trees with significant decay and other structural defects that cannot be treated are likely to fail. Such trees should not be preserved in areas where damage to people or property could occur.

Trees that have developed in a forest stand are adapted to the close, dense conditions found in such stands. When surrounding trees are removed during clearing and grading, the remaining trees are exposed to extremes in wind, temperature, solar radiation, which causes sunscald, and other influences. Young, vigorous trees with well-developed crowns are best able to adapt to these changing site conditions.

## **Attachment 6. Glossary of Forestry and Arboricultural Terminology**

**DBH:** Diameter at Breast Height (measured 4.5 ft. above the ground line on the high side of the tree).

**Live Crown Ratio:** Ratio of live foliage on the stem of the tree. Example: A 100' tall tree with 40 feet of live crown would have a 40% live crown ratio. Conifers with less than 30% live crown ratio are generally not considered to be long-term trees in forestry.

**Crown:** Portion of a trees stem covered by live foliage.

**Crown Position:** Position of the crown with respect to other trees in the stand.

**Dominant Crown Position:** Receives light from above and from the sides.

**Codominant Crown Position:** Receives light from above and some from the sides.

**Intermediate Crown Position:** Receives little light from above and none from the sides. Trees tend to be slender with poor live crown ratios.

**Suppressed Crown Position:** Receives no light from above and none from the sides. Trees tend to be slender with poor live crown ratios.

## **Attachment 7. Assumptions and Limiting Conditions**

- 1) Any legal description provided to the Washington Forestry Consultants, Inc. is assumed to be correct. Any titles and ownership's to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
- 2) It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations, unless otherwise stated.
- 3) Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, Washington Forestry Consultants, Inc. can neither guarantee nor be responsible for the accuracy of information.
- 4) Washington Forestry Consultants, Inc. shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
- 5) Loss or alteration of any part of this report invalidated the entire report.
- 6) 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 to whom it is addressed, without the prior expressed written or verbal consent of Washington Forestry Consultants, Inc.
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- 8) This report and any values expressed herein represent the opinion of Washington Forestry Consultants, Inc., and the fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence neither of a subsequent event, nor upon any finding in to reported.
- 9) Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.
- 10) Unless expressed otherwise: 1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the tree or other plant or property in question may not arise in the future.

*Note: Even healthy trees can fail under normal or storm conditions. The only way to eliminate all risk is to remove all trees within reach of all targets. Annual monitoring by an ISA Certified Arborist or Certified Forester will reduce the potential of tree failures. It is impossible to predict with certainty that a tree will stand or fail, or the timing of the failure. It is considered an 'Act of God' when a tree fails, unless it is directly felled or pushed over by man's actions.*