



Legislation Text

File #: 16-1014, **Version:** 3

Community Development Services, Planning and Building Department, recommending the Board receive and file a presentation on implementation of the California Department of Forestry and Fire Protection State Responsibility Area Prevention Fund and Tree Mortality Grant, to help El Dorado County senior citizens with income limitations to remove dead and dying trees that endanger their residences. (Est. Time: 10 Min.).

FUNDING: California Department of Forestry and Fire Protection State Responsibility Area Prevention Fund and Tree Mortality Grant (81%) and General Fund (19%)

DEPARTMENT RECOMMENDATION

Community Development Services, Planning and Building Department, Long Range Planning (LRP), Housing Community and Economic Development Program (HCED), recommending the Board receive and file a presentation on implementation of the California Department of Forestry and Fire Protection (CALFIRE) State Responsibility Area Prevention Fund and Tree Mortality Grant (Grant), to help El Dorado County senior citizens with income limitations to remove dead and dying trees that endanger their residences. (Est. Time: 10 Min.)

DISCUSSION/BACKGROUND

On October 30, 2015, Governor Brown proclaimed a State of Emergency due to unprecedented tree mortality caused by the conditions of extreme drought and related bark beetle infestations. The Governor's Emergency Proclamation (Proclamation) contains 18 distinct actions that direct state agencies, utilities, and local governments to remove dead or dying trees in high fire hazard areas (zones) across the entire State.

On March 28, 2016 (Item 1), the Board proclaimed a local State of Emergency due to pervasive tree mortality, and on May 17, 2016 (Item 46), approved the County's Tree Mortality Hazard Tree Removal Plan (Tree Removal Plan).

On October 11, 2016 (Item 14), the Board accepted grant/project funding from the California Governor's Office of Emergency Services for California Disaster Assistance Act (CDAA) funding, which provides a 75% cost share of total eligible costs for projects related to the tree mortality emergency, plus a 10% administrative fee. Counties, cities, and special districts are eligible for reimbursement through CDAA. CDAA does not provide assistance to private homeowners.

In an attempt to help private homeowners in need, El Dorado County applied for and was awarded a CALFIRE State Responsibility Area Fire Prevention Fund and Tree Mortality Grant (SRAFPF and TM Grant). El Dorado County received approximately \$200,000 to help senior citizens, age 60 and older with income limitations, to remove dead and dying trees that endanger their residences.

On January 10, 2017 (Item 4), the Board accepted the CALFIRE grant funding for the Tree Removal Grant for Low Income Seniors Program (Program), which provides a grant period ending when funds are exhausted or by March 15, 2019, whichever occurs first. The County received an executed

Agreement with CALFIRE on February 2, 2017.

On March 23, 2017, CALFIRE accepted the County's determination that the Program, as described, qualifies for the limited suspension of the requirements of the California Environmental Quality Act (CEQA) pursuant to the Governor's October 2015 Proclamation, which suspends the CEQA requirements and Guidelines for purposes of carrying out, among other things, Directive 2, where the state agency with primary responsibility for implementing the directive concurs that local tree mitigation action is required.

HOMEOWNER ELIGIBILITY

The Program will take into account where an individual lives within the County, as there are areas in the County that have active Fire Safe Councils that also received the Tree Mortality Grant funding. The County's Program will assist those seniors with limited incomes who live in a High Hazard Zone that have not received Fire Safe Council assistance for removal of dead or dying trees. The County's Program will work as a last resort for seniors to get help with removal of such trees that threaten their homes. The Program may only serve those residents with no means to remove the tree hazard on their own.

The County estimates the Program funding will cover the cost to remove approximately 42 trees from properties located in the High Hazard Zones, limited to two trees per property. All applicants must be 60 years of age or older, own the property on which they reside, and have incomes at or below 60% of the County's Area Median Income (AMI), adjusted for household size, as published by the California Department of Housing and Community Development.

HOUSING ELIGIBILITY

Housing unit types eligible under the Program are existing single-family residences or manufactured homes on a single-family lot and placed on a permanent foundation system, or habitable second dwelling units on owner occupied property. Inhabited temporary or unpermitted dwelling units do not meet Program eligibility. The Program is not meant to protect moveable or temporary sheds and outbuildings, barns, carports or garages.

TREES ELIGIBLE FOR REMOVAL

Funding must support local efforts to remove dead and dying trees that pose a threat to public health and safety. To meet the criteria under the Program, eligible trees must be 1) greater than 10 inches in diameter and 20 feet in height; 2) must be within 300 feet of, and pose a structural threat to, the residence; and 3) must also be reasonably accessible by equipment or machinery. This Program will remove trees only from residential properties identified as a Tier 1 or Tier 2 High Hazard Zone, as identified by the CALFIRE Tree Mortality Task Force and provided with this item as Attachment B.

As indicated in the County's Tree Removal Plan available on the County's website at http://www.edcgov.us/Living/Tree_Mortality.aspx, trees targeted for removal will be identified by a Registered Professional Forester and/or licensed Arborist contracted by the County. Removal efforts will commence only after confirmation from the Forester or Arborist, in addition to verifying that environmental and regulatory issues have been resolved. Also, the County's Tree Removal Plan's requirement that a right-of-entry permit be granted by the qualifying land owner before authorizing government representatives are able to remove identified trees, is supported by the Program.

The County is currently working with Black Fox Timber Management Group, Inc. (Black Fox), to

provide Forester/Arborist services through CDAA grant/project funding to address tree mortality throughout the County. It is through this Black Fox contract that LRP/HCED staff is hoping to execute a Work Order for expanding the Forester/Arborist services to include and meet the tree eligibility requirements for this Program, which is currently being reviewed for approval by County Counsel and Risk Management. If approved, Black Fox would then be tasked with identifying eligible trees on qualified properties, along with providing general removal cost estimates that will help in developing a scope of work for bidding purposes to engage a licensed timber operator.

PROGRAM OUTREACH AND MARKETING

All outreach efforts will be done in accordance with state and federal fair lending regulations to assure nondiscriminatory treatment, outreach, and access to the Program. The Program is provided at no cost to low-income seniors for the removal of up to two eligible dead or dying trees that threaten a habitable residence on their property.

The marketing plan will include flyers, social media marketing, and press announcements throughout the County, including posting on the County's website. HCED will direct marketing efforts specifically targeted to seniors through outreach to locations frequented by County senior populations. HCED will partner with the County's Health and Human Services Agency's Senior Services programs to provide information through the Senior Times Newsletter, Senior Centers, Satellite Meal Centers (e.g., Diamond Springs, Cameron Park, and Greenwood Community Centers), and via the Home Delivery (Meals-On-Wheels) Meal Program.

APPLICATION PROCESS

The Program will establish a waiting list of eligible senior homeowners, those earning 60% or less of the AMI who live in a High Hazard Zone. Eligible homeowners must complete an application packet which asks for sufficient information regarding employment and income sources to establish eligibility for Program participation. Completed applications will be accepted on a first-come, first-served basis.

The County will then work directly with qualified landowners to ensure that Department of Fish and Wildlife concerns are addressed, as well as relevant documents related to Lake or Streambed Alteration Agreements.

TIME FRAME

Milestones for the Program include:

- 1) Identification and validation of approximately 42 eligible trees and the total cumulative cost of removal, with the actual number of removals to be contingent upon per tree costs and fund availability. This process will include verifying CEQA exemption and addressing other environmental and regulatory concerns as needed. It is anticipated this process will be complete within one year for all identified properties; and
- 2) Begin efforts to remove the 42 trees including the removal of debris by a licensed timber operator contracted by the County. Removal efforts will take place as soon as all concerns have been addressed at each property and will begin as soon as feasible, with completion no later than March 15, 2019.

NEXT STEPS

- 1) Program marketing efforts will begin immediately.
- 2) Applications will be provided to eligible senior homeowners.

- 3) Staff will gather a qualified group of applicants then dispatch the Forester/Arborist to identify eligible trees.
- 4) Staff will return to the Board in 2018 with a request to approve and adopt the Contract Documents and authorize advertisement for bids to engage a licensed timber operator.
- 5) The contracted timber operator will remove the identified trees threatening qualified properties.

FINANCIAL IMPACT

There is no change to Net County Cost associated with this item. The CALFIRE SRAFPF and TM Grant provides funding of approximately \$200,000 (up to \$199,998). Use of this Grant funding requires that the County provide approximately \$37,700 in matching funds to complete the tree removal work. Sufficient appropriations from the County's General Fund to provide for the matching funds are included in the Fiscal Year 2017-18 adopted budget.

CAO RECOMMENDATION

It is recommended that the Board approve this item.

STRATEGIC PLAN COMPONENT

Public Safety, Infrastructure, and Healthy Communities.

CONTACT

Creighton Avila, Deputy Chief Administrative Officer, for
Community Development Services

Roger Trout, Interim Director
Community Development Services, Planning and Building Department-HCED