



Board Agenda Item 47

DATE: June 12, 2018

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Request to Remove Hazardous Trees along Ashlan Avenue in the Tarpey Village Area

RECOMMENDED ACTION:

- 1. Approve and authorize the Department of Public Works and Planning to remove 32 dead or dying ornamental trees along the Ashlan Avenue road right-of-way in Tarpey Village, between Clovis and Sunnyside Avenues, an unincorporated area of the County;**
- 2. Determine that the approval and authorization of the Department's removal of the 32 dead or dying ornamental trees, including the actual removal of the trees, is exempt from the requirements of the California Environmental Quality Act, Public Resources Code, Section 21000, et seq., and direct Department staff to file a Notice of Exemption with the office of the Fresno County Clerk.**

Approval of the first recommended action will allow the Department of Public Works and Planning to remove the ornamental trees planted within the Tarpey Village subdivision development in the 1950's, which are potentially hazardous conditions within the County's road easement right-of-way due to their dead and dying state. The Department will provide notice to adjoining property owners/residents at least ten days prior to any tree removal and will simultaneously perform a door-to-door outreach to those owners/residents during that same period, explaining the tree removal process and answering any questions the owners/residents may have. There will be no cost to the owners/residents for the tree removal or related corrective work. A sample copy of the notice is included as Attachment A. Additionally, the Department will be performing normal routine maintenance of trimming three trees and grinding one stump.

Approval of the second action will allow the Department to file a Notice of Exemption for purposes of the California Environmental Quality Act (CEQA). The Department reviewed the potential work, formulated the opinion that the project would be exempt from CEQA, and is prepared to file a Notice of Exemption with the Fresno County Clerk. This item pertains to a location in District 5.

ALTERNATIVE ACTION:

There is no viable alternative action. The concentrated number of ornamental trees, due to their dead and dying state, are a potentially hazardous condition within the road right-of-way. The Department recommends tree removal and stump grinding with no replacement trees to be planted thereafter due to uncertainties of available and efficient landscape irrigation improvements. The Department awaits your Board's direction prior to initiating tree removal or other corrective action your Board may determine for the hazardous trees.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. Sufficient appropriations are included in the Department's - Roads Org 4510 and Parks and Grounds Org 7910 FY 2017-18 Adopted Budgets for the tree removal work. The work will be performed by staff from the Road Maintenance & Operations Division and the Resources Division. A project number will be established to track costs for reimbursement of expenses to the Resources Division Org 7910 from the Road Fund 010.

DISCUSSION:

History:

The identified 32 ornamental trees were planted within the Tarpey Village subdivision development in the 1950's, see Attachment A.

On December 22, 1970, the Board of Supervisors adopted a Resolution Establishing Policy For The Maintenance Of Trees, Shrubs, Vines And Other Vegetation On A Highway Right-Of-Way, see Attachment B. As a result of the foregoing, the Department amended its policies and procedures regarding trees, including those related to the removal of a concentrated number of ornamental trees that constitute a hazardous condition in an easement right-of-way, such as the section of Ashlan Avenue from Clovis to Sunnyside Avenues. The Department's policies and procedures were amended several times thereafter with the latest in October of 1982.

Requested Board Direction Under Board Policy:

The Board policy requires the Department Director to report to the Board whenever (1) there are a concentrated number of ornamental trees in an easement that constitute a hazard, (2) make a recommendation(s), and (3) wait for direction from the Board before initiating any action.

The Director has determined that the trees are a potentially hazardous condition because they are dead or dying, and that the trees should be removed and the stumps ground.

Department's Survey; Recommended Action:

The recommended action is based upon a survey of the trees in Tarpey Village area by Department staff.

Based upon the survey, the Department determined that there is a concentration of ornamental trees, consisting of approximately 32 trees, mostly of the Modesto White Ash species, planted along the Ashlan Avenue road right-of-way, in Tarpey Village, that are now dead or dying.

The trees may pose a potential threat to the roads, structures, and persons who are near or around the trees; therefore they may be considered a potentially hazardous condition. Furthermore, none of the 32 trees are salvageable. For these reasons, the Department is recommending the complete removal of the identified trees and grinding of the associated stumps.

The Director is recommending the removal and is not recommending that any replacement trees be planted after tree removal. This is partly due to uncertainties of available and efficient landscape irrigation improvements.

California Environmental Quality Act

Approval of the recommended actions and the actual removal of the 32 dead or dying ornamental trees are exempt from CEQA. The Department's Development Services and Capital Projects Division previously determined that the removal is categorically exempt from the provisions of the CEQA guidelines under

Section 15301(h) *Existing Facilities*, Maintenance of existing landscaping, native growth, and water supply resources. As a result, upon approval of the second action, staff will properly file a Notice of Exemption with the Fresno County Clerk.

Timing:

At least two weeks prior to this Board hearing, the Department went door-to-door to all owners/residents whose homes are adjacent to any of the 32 dead or dying ornamental trees and notified them that the trees would be removed due to their potential for causing hazardous conditions. The owners/residents were informed of this Board hearing, and informed that should the Board give permission as requested by the Department, that the dead or dying trees will be removed. At least two weeks prior to this Board meeting, the Department personally delivered, left at the doorstep, or mailed the owners/residents a letter regarding the foregoing and explaining which trees would be cut down. (See Attachment C)

If your Board approves the recommended action, the Department will then file and publish a Notice of Exemption, pursuant to CEQA, with the Fresno County Clerk. Twenty-six days after the filing of the Notice of Exemption, the Department will go door-to-door, speak with the affected owners/residents, and provide the affected owners/residents with a ten-day written Notice regarding the tree removal (see Attachment A), along with a letter regarding the tree removal process (Attachment D). Simultaneously, the Department will attach the same Notice to each of the 32 trees.

Eleven days after giving the aforementioned Notice, the Department will commence removal of the 32 dead or dying trees.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Vicinity Map
Attachment A
Attachment B
Attachment C
Attachment D

CAO ANALYST:

Sonia M. De La Rosa