



Board Agenda Item 36

DATE: September 26, 2017

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer / Emergency Services Director

SUBJECT: Continuation of Tree Mortality Local Emergency Status in Fresno County

RECOMMENDED ACTION(S):

Adopt Resolution proclaiming continuation of the local emergency status relating to the extremely high levels of tree mortality and hazardous conditions created by the drought and request that the Governor continue to provide resources and support to mitigate risk of falling trees and increased fire hazard.

Approval of the recommended action will ensure the local emergency status remains in effect and permit the potential recovery of eligible costs.

ALTERNATIVE ACTION(S):

No viable options are available.

FISCAL IMPACT:

The recommended action is necessary to ensure specific liability protection, emergency powers of the Emergency Services Director, and potential recovery of eligible costs, if any, from State and Federal emergency funds.

DISCUSSION:

On September 22, 2015, your Board approved a resolution requesting a state of emergency be proclaimed in the County due to the degraded forest conditions and imminent threat from catastrophic fires and extreme drought.

On January 29, 2016, California Department of Forestry and the Fire Prevention (CAL FIRE) awarded grant funding for the projects below, which have been completed:

- \$199,594 to County Public Works to remove trees around roadways in the Highway 168 and 180 corridors;
- \$100,000 to the Oak to Timberline Fire Safe Council to reduce hazardous fuels in the Pinehurst and Miramonte foothill communities; and,
- \$100,000 to the HWY 168 Fire Safe Council to remove dead trees and fuels in the Meadow Lakes community.

On February 5, 2016, the formation of a Core Planning Team comprised of the County of Fresno - Office of Emergency Services (OES) and Public Works, CAL FIRE, Sierra and Sequoia National Forests, Caltrans, PG&E, Southern California Edison and other stakeholders examined the immediate exposure to the tree mortality and outlined objectives in response to the local emergency. The development of a County plan to address the

immediate impacts of the hazard was initiated. Monthly local tree mortality task force meetings provide a platform to ensure on-going communication and coordination between agencies and local government.

On March 14, 2016, a meeting between County staff and leaders of the Governors' Tree Mortality Task Force outlined the need for assistance to private landowners for tree removal. Also discussed, were the issues that hindered implementation of the tree removal efforts. The reiteration for the Governor to request a Presidential Declaration of Emergency for impacted counties was also sought. At the State level, an Incident Action Plan outlined the following objectives:

- Provide for public health and safety of persons and property in identified high hazard zones.
- Ensure efforts associated with the implementation of the directives contained in the Governor's State of Emergency Proclamation remain coordinated.
- Ensure continuous communication among State, Federal, Tribal and local governments, as well as with other non-governmental organizations assigned to the task force.
- Provide consistent and coordinated messaging between task force member agencies and the public.
- Manage projects and programs in a financially responsible and efficient manner.

On April 12, 2016, the Director of the Department of Public Health presented an update to your Board regarding the drought and bark beetle infestation impact on forest trees. At that same meeting, the Department of Public Works and Planning received direction from your Board to initiate an amendment to the zoning ordinance to develop temporary use provisions for uses associated with timber harvesting, processing, and storage because of the current tree mortality emergency.

On May 19, 2016, the U.S. Forest Service, Region 5 hosted a tour in the Shaver Lake and Pineridge areas to provide information to legislators and local officials about the conditions and the efforts that are underway to mitigate the hazards caused by tree mortality.

On May 24, 2016, your Board approved the Emergency Services Director's submittal of an Application for State financial assistance under California Disaster Assistance Act (CDAA) to the California OES to mitigate tree mortality.

On August 23, 2016, your Board approved an amendment to Text Application No. 373 and adopted an ordinance amending various sections of the Fresno County Zoning Ordinance. The amendments add Temporary Mill/Chipping Facilities as a matter of right in the RC (Resource Conservation), TPZ (Timberland Preserve), and AE (Exclusive Agricultural) Districts, subject to certain standards and limited in duration to the declared local state of emergency due to tree mortality and degraded forest conditions, plus an additional 180 consecutive days thereafter. The amendment to the Zoning Ordinance was effective on September 22, 2016.

On October 11, 2016, your Board approved the retroactive submittal of 16 separate FY 2016-17 Tree Mortality (TM) Grant Program applications to the CAL FIRE at the maximum amount of \$200,000 each for the removal of dead and dying hazardous trees.

On November 30, 2016, the County was notified of the approval of 13 of the 16 grants. By December 20, 2016, the County received official notice that 13 of the 16 TM grants were awarded.

On December 5, 2016, tree removal commenced on Huntington Lake Road using CDAA funding. A total of 5,261 trees were removed, chipped, and utilized by Rio Bravo, Co-gen, for energy production.

On January 31, 2017, your Board approved 13 revenue agreements with CAL FIRE to receive the TM grants for the removal of dead and dying trees that are within 300 feet of permanent private structures, roadways, and public or private infrastructure. Additionally, your Board increased the Purchasing Manager's previous authorization to contract for services related to tree mortality from \$2,000,000 to \$6,600,000.

The County OES has coordinated an emergency response-planning meeting with all organized camps operating in the County. Additionally, the Office worked with CAL FIRE and the Sheriff's Office to conduct pre-fire evacuation planning meetings for communities in high hazard areas.

Forest degradation conditions have not improved as the tree mortality disaster has continued and escalated in eastern Fresno County. Mountain communities continue to be threatened by the potential of falling trees and wildfires.

Fresno County Ordinance Code, Chapter 2.44.060 requires your Board to review the need to continue the local emergency at least once every 30 days until terminated; state law requires the same. The local emergency must be terminated at the earliest possible date when conditions warranting proclamation have ended.

REFERENCE MATERIAL:

Proclamation of Continuation of Local Emergency:

BAI #42, September 12, 2017; BAI #26, August 22, 2017; BAI #30, August 8, 2017; BAI #36, July 11, 2017; BAI #39, June 20, 2017; BAI #32, June 6, 2017; BAI #30, May 16, 2017; BAI #28, May 2, 2017; BAI #25, April 4, 2017; BAI #26, March 7, 2017; BAI #18, February 7, 2017; BAI #23, January 10, 2017; BAI #22, December 13, 2016; BAI #22, November 15, 2016; BAI #24, November 1, 2016; BAI #31, October 11, 2016; BAI #39, September 13, 2016; BAI #36, August 23, 2016; BAI #31, August 9, 2016; BAI #34, July 12, 2016; BAI #25, June 21, 2016; BAI #27, June 7, 2016; BAI #13, May 24, 2016; BAI #42, May 10, 2016; BAI #7.1, April 12, 2016; BAI #34, March 15, 2016; BAI #25, March 1, 2016; BAI #25, February 9, 2016; BAI #28, January 12, 2016; BAI #31, December 15, 2015; BAI #43, November 17, 2015; BAI #23, November 3, 2015; BAI #21.1, October 13, 2015; BAI #21, September 22, 2015; BAI #8, February 4, 2014

BAI #37, January 31, 2017

BAI #37, October 11, 2016

BAI #12, August 23, 2016 - Amendment to Text Application No. 373

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution

On file with Clerk - Map of Affected Area

On file with Clerk - Proclamation of State Emergency

CAO ANALYST:

Sonia M. De La Rosa