



City Manager’s Report
July 12, 2016 City Council Meeting
Prepared By: Pierre Rivas, Development Services Director
Item#: 12.2

Subject: Continue to the August 9, 2016 Regular Council Meeting - Adopt a resolution proclaiming the existence of a Local State of Emergency due to drought conditions and bark beetle infestation resulting in pervasive tree mortality.

Background: This item was considered at the regular Council meeting on June 28, 2016 and was continued for two weeks.

Discussion: The State of California has experienced severe drought conditions for four years which has made trees weakened and susceptible to an epidemic infestation of native bark beetle. The presence of dead trees can significantly exacerbate the wildfire risk and presents a safety risk from falling trees that can damage both public infrastructure and private property.

Government Code Section 8630(a) provides that a local emergency may be proclaimed by the governing body of a county or city. Government Code Section 8558(c) defines a “local emergency” as the duly proclaimed existence of conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a county or city caused by conditions that include drought and plant infestation or disease which are likely to be beyond the control of the services, personnel, equipment, and facilities of the local agency and which requires the combined forces of other political subdivisions to combat. The costs associated with the identification, removal, storage, and disposal of dead and dying trees constituting a threat of falling on public rights-of-way and public infrastructure may be eligible for California Disaster Assistance Act (CDAA) reimbursement.

Staff is continuing to identify the presence of dead and dying trees which pose a threat to public utilities, roads and infrastructure. The current inventory of dead and dying trees posing a threat to public infrastructure is not of a magnitude to overwhelm City capabilities at this point in time. Staff is recommending that this item be continued to the regular Council meeting scheduled for August 9, 2016 and staff will provide an update to the Council.

Recommendation: Continue to the August 9, 2016 Regular Council Meeting - Adopt a Resolution proclaiming the existence of a Local State of Emergency due to drought conditions and bark beetle infestation resulting in pervasive tree mortality.

M. Cleve Morris, City Manager

Pierre Rivas, Development Services Director

Attachment: Staff Report dated June 28, 2016



City Manager’s Report
June 28, 2016 City Council Meeting
Prepared By: Pierre Rivas, Development Services Director
Item#: 12.4

Subject: Adopt a resolution proclaiming the existence of a Local State of Emergency due to drought conditions and bark beetle infestation resulting in pervasive tree mortality.

Background: The State of California has experienced severe drought conditions for four years which has made trees weakened and susceptible to an epidemic infestation of native bark beetle. It is currently estimated that there are over 29 million dead trees in California with the number continuing to grow. The presence of dead trees can significantly exacerbate the wildfire risk and presents a safety risk from falling trees that can damage both public infrastructure and private property.

On October 30, 2015, the Governor of California proclaimed a State of Emergency due to unprecedented tree mortality due to drought conditions and bark beetle infestations and has ordered all state agencies, utilities, and local governments to undertake efforts to remove dead and dying trees for the protection of the public and infrastructure. Subsequently, the Board of Supervisors of the County of El Dorado proclaimed a Local Emergency due to tree mortality on March 28, 2016 (Resolution No. 053-2016). El Dorado County has been elevated from a “transitional county” to a “priority county” by the State due to the increase in the severity of tree mortality.

Much of the City, in particular, its eastern portion can be characterized as a wildland-urban interface (WUI) area. These are areas where human-built structures and infrastructure abut or mix with naturally occurring vegetation types. Wildfires are of particular concern in WUI areas because these areas comprise extensive flammable vegetation, numerous structures, and ample ignition sources. The increase of a fuel source resulting from tree mortality exacerbates the risk of catastrophic fires. The California Department of Forestry and Fire Protection (Cal Fire) Fire and Resource Assessment Program (FRAP) identifies most of the City as being within the Very High Fire Hazard Severity Zone (VHFHSZ) in a Local Responsibility Area (LRA) (FRAP map dated November 17, 2008).

Discussion: Government Code Section 8630(a) provides that a local emergency may be proclaimed by the governing body of a county or city. Government Code Section 8558(c) defines a “local emergency” as the duly proclaimed existence of conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a county or city caused by conditions that include drought and plant infestation or disease which are likely to be beyond the control of the services, personnel, equipment, and facilities of the local agency and which requires the combined forces of other political subdivisions to combat.

Following the Governor’s proclamation of a State of Emergency and once the City declares a local state of emergency, the costs associated with the identification, removal, storage, and disposal of dead and dying trees constituting a threat of falling on public rights-of-way and public infrastructure may be eligible for California Disaster Assistance Act (CDAA) reimbursement.

Eligible costs may include: (1) evaluation and identification of dead or dying trees threatening the public rights-of-way and public infrastructure by a certified arborist or forester; (2) removal of trees threatening public rights-of-way and infrastructure which may include trees on private property; (3) contracted tree removal, transportation, holding site fees, and disposal; and (4) reasonable force account labor, overtime, and equipment costs. Prior to making application for reimbursement, the City would need to identify to California Office of Emergency Services (Cal OES) the local needs, estimate of the number of trees, cost estimates of tree removal, and a plan for the removal of dead and dying trees. Staff proposes to bring forward a tree mortality hazard tree removal plan for consideration by the Council.

In accordance with Government Code Section 8630 (c), once the City Council proclaims a state of local emergency, the Council will need to review the need for continuing the local emergency at least once every 30 days until the Council terminates the local emergency.

Options: Do not proclaim a local state of emergency.

Cost: Minimal. The cost of preparing the necessary assessment of tree mortality, cost estimates, and tree removal plan by staff will be absorbed by the existing operating budget. Staff cost may increase as the tree removal plan is implemented and if the mortality of trees increases.

Budget Impact: The budget impact at this point in time is undetermined. Pursuant to California Government Code Section 8585.9, the state share of eligible costs shall not exceed 75% of the total eligible costs. Therefore, the City would be responsible for a cost-share of 25%. In addition, an administrative allowance of 10% may be applied as a percentage against the total approved state share to cover reasonable indirect costs and the costs of requesting, obtaining, auditing, and administering state disaster assistance funds.

Recommendation: Adopt a Resolution proclaiming the existence of a Local State of Emergency due to drought conditions and bark beetle infestation resulting in pervasive tree mortality.



M. Cleve Morris, City Manager



Pierre Rivas, Development Services Director

Attachments:

1. Resolution
2. Governor Brown's Declaration of a State of Emergency, October 30, 2015
3. Fact Sheet - California Disaster Assistance Act Funding for Tree Mortality Event