

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
January 30, 2007
3:30 p.m.

To: Board of Supervisors

From: Department of Regional Parks

Subject: Approve A Midyear Appropriation For The Removal And Mitigation Of Trees At The Rancho Murieta Recreation Area (AAR No. 27-040)

Contact: Jill K. Ritzman, Deputy Director, 916/876-5134

Overview

Pursuant to the ruling of the Third District Court of Appeal, the County must remove 177 trees located at the Rancho Murieta Recreation Area, in order to comply with Federal Aviation Administration regulations for a clear zone around the Rancho Murieta Airport. The Biological Opinion issued by the U.S. Fish and Wildlife Service for the tree removal project authorizes an incidental take up to a maximum of 186 elderberry stems, host to the threatened Valley Elderberry Longhorn Beetle (VELB), which the County will be required to mitigate.

Recommendation

Approve a Mid-Year Budget Appropriation in the amount of \$619,132 to Parks Construction Fund 006A for tree removal and mitigation costs for the Rancho Murieta Recreation Area Tree Project.

Fiscal Impact

The General Fund would be impacted by \$619,132 if the mid-year appropriation to Parks for the project is approved.

BACKGROUND

For several years, the County of Sacramento, Rancho Murieta Airport, and Cal Trans have been involved in a court dispute regarding the removal of 177 mature trees adjacent to the Rancho Murieta Airport and the Cosumnes River, a park site known as the Rancho Murieta Recreation Area. The Third District Court of Appeal upheld the trial court's ruling that the County is obligated to trim or remove trees which are in the Federal Aviation Administration "clear zone," based on Public Utilities Code (PUC) section 21659. This PUC provides that no person shall allow natural growth in an airport's clear zone.

DISCUSSION

Parks staff is working closely with County Counsel, Department of Environmental Review and Assessment, and Purchasing to implement the tree removal project. The County has completed consultation with U.S. Fish and Wildlife Service, and is continuing consultation with other governmental agencies, such as the State Reclamation Board and CA Department of Fish and Game. A final decision regarding permits and approvals is forthcoming in the next few weeks.

The County has tree companies on contract for tree trimming and removal services. Parks will request services from an existing County contractor, once the environmental permits and approvals have been secured.

FINANCIAL ANALYSIS

Total project costs are estimated at \$619,132. This cost estimate includes \$200,000 for tree removal and \$419,132 in mitigation costs.

A County tree service contractor has estimated tree removal costs to be \$200,000. Tree removal costs are high due to 82 elderberry shrubs, host to the threatened Valley Elderberry Longhorn Beetle, growing within 100 feet of potential ground disturbing actions. Many of the elderberry shrubs are located at the base of trees that require removal. In many instances, the contractor will be required to piece down trees using aerial lifts, cranes, and rigging to minimize disturbing the elderberries. The trees will be chipped on site and transported to a local co-generation plant for use as fuel.

The Biological Opinion issued by the U.S. Fish and Wildlife Service authorizes an incidental take up to a maximum of 186 elderberry stems. Staff will work closely with the tree service contractor to minimize the project's impact on elderberries. If all 186 stems are taken, it would require planting 673 elderberry seedlings and 1,127 associated plants on 9.3 acres. Current mitigation bank prices are \$85,000/acre for a mitigation project cost of \$791,694.

The preferred alternative would be to locate the mitigation project on County property and hire a restoration contractor to plant and maintain the project, and perform all required monitoring and reporting. The costs of the project would be \$45,000 per acre based upon recent SAFCA and Army Corps mitigation projects, for a total project cost of \$419,132. The term of the project would be ten years. Deer Creek Hills would be a good location for the project since it is within the same watershed as Rancho Murieta Recreation Area.

Respectfully submitted,

APPROVED:
TERRY SCHUTTEN
County Executive

GARY KUKKOLA, Director
Department of Regional Parks

By: _____
STEVEN M. PEDRETTI,
Deputy Administrator
Municipal Services Agency

Attachment: Appropriation Adjustment Request

Copies: Geoff Davey, Chief Financial/Operations Officer
Linda Foster-Hall, County Budget Officer