



Legislation Text

File #: 22-1690, **Version:** 1

TO: Board of Supervisors
FROM: UC Cooperative Extension: Monica Cooper - Department Head
REPORT BY: Jessica Sandoval - Staff Services Analyst
SUBJECT: Declaring a State of Local Emergency Due to Pervasive Tree Mortality.

RECOMMENDATION

UC Cooperative Extension requests adoption of a Resolution:

1. Declaring a State of Local Emergency due to pervasive tree mortality;
2. Requesting the Governor to proclaim a State of Emergency in Napa County due to pervasive tree mortality;
3. Requesting the Governor seek federal designation of tree mortality areas in Napa County to address insect threats on federal land; and
4. Requesting the Governor seek a Presidential Declaration of Emergency or Major Disaster in Napa County due to pervasive tree mortality.

EXECUTIVE SUMMARY

On August 9, 2022, the Board of Supervisors directed staff to return with a proposed resolution declaring a state of local emergency due to pervasive tree mortality in Napa County. The proposed resolution reflects the actions taken by neighboring Lake County on May 3, 2022, declaring a state of local emergency due to pervasive tree mortality in their jurisdiction. UC Cooperative Extension requests the Board of Supervisors adopt the proposed resolution declaring a state of local emergency and requesting the Governor to take related actions to draw attention to the crisis and potentially open avenues for state and federal assistance to address and mitigate the emergency.

PROCEDURAL REQUIREMENTS

1. Staff reports.
2. Public comments.
3. Motion, second, discussion and vote on the item.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

Is it currently budgeted?	No
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	To seek state and federal assistance to address the emergency.
Is the general fund affected?	No
Future fiscal impact:	Staff cost of placing this item on the Board agenda every 60 days for renewal until termination.
Consequences if not approved:	Pervasive tree mortality in Napa County could constitute a significant threat to the economic and environmental health and safety of persons and property due to increased risk of high intensity wildfire, diminished air quality, and overall quality of life for residents in Napa County.
County Strategic Plan pillar addressed:	Vibrant and Sustainable Environment

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: This proposed activity is not subject to CEQA pursuant to CEQA Guidelines section 15060(c)(3) because the activity is not a project pursuant to section 15378, and because it will not result in a direct or reasonably foreseeable indirect physical change in the environment pursuant to section 15060(c)(1).

BACKGROUND AND DISCUSSION

Observations of tree mortality on publicly and privately owned land in Napa County were discussed at seminars facilitated by the Napa County Agricultural Commissioner, Resource Conservation District, and CalFire. These discussions prompted CalFire to conduct aerial surveys of Napa and Lake Counties in December of 2021 and January of 2022. The surveys revealed widespread conifer mortality due to the ongoing drought, and additional tree mortality exacerbated by populations of bark beetles, as fire and drought-stressed conifers provide ideal host material for a bark beetle population to establish and grow.

On July 12, 2022, the Board of Supervisors heard a presentation on local tree mortality from experts in both entomology and tree mortality, including Dr. Michael Jones, University of California Cooperative Extension, and Mr. Christopher Lee, California Department of Forestry and Fire Protection. On August 9, 2022, the Board of Supervisors directed staff to return with a proposed resolution declaring a state of local emergency due to pervasive tree mortality in Napa County.

UC Cooperative Extension requests the Board of Supervisors declare a state of local emergency with the intent to combine forces of local, state, and federal government agencies to remove dead and dying trees in Napa County. Severe drought conditions have exacerbated damage to conifers, reducing the vigor and health of conifers in Napa County, leaving the trees vulnerable to insect attack, and fire damage. Dead and dying trees present a substantial risk of fueling high intensity wildfires imperiling persons, structures, crops and wildlife, destroying watersheds with incredible ecological diversity, and releasing huge quantities of greenhouse gases to the atmosphere.

Pervasive tree mortality in Napa County present conditions of disaster of extreme peril to the safety of persons and property as defined in Government Code section 8558(c)(1), due to substantial risk of dead and dying trees fueling high intensity wildfires imperiling persons, structures, crops and wildlife, destroying watersheds with incredible ecological diversity, and releasing huge quantities of greenhouse gases to the atmosphere. Remedial

measures, such as removal of dead and dying trees, are far beyond the capabilities and resources of Napa County and its residents, requiring the combined forces of local, state, and federal government agencies to accomplish.

The proposed resolution also echoes Lake County's request that the Governor (a) proclaim a State of Emergency in Napa County due to pervasive tree mortality, (b) request the Secretary of the U.S. Department of Agriculture to designate tree mortality (treatment) areas in Napa County pursuant to section 8204 of the Agriculture Act of 2014 (16 U.S.C. § 6591a), for purposes of addressing insect threats on federal land and seeking additional federal program support, and (c) request a Presidential Declaration of Emergency or Major Disaster for this emergency.

The state of local emergency, if declared by the Board of Supervisors, will need to be revisited at least every 60 days until terminated, pursuant to Government Code section 8630(c), to determine whether to continue or terminate the local emergency if conditions warrant.