



**COUNTY OF EL DORADO
COMMUNITY DEVELOPMENT AGENCY
DEVELOPMENT SERVICES DIVISION**

2850 Fairlane Ct
Placerville, CA
530-621-5315

JANUARY 17, 2018 MINUTES

Building Industry Advisory Committee

Jerry Homme, Chairman, Member at Large (*Colleen Malone, Alt*)

Jeff Haberman, Member at Large (*Denny Kennedy, Alt*)

Bill Carey, Member at Large (*Lori Burne, Alt*)

Earl McGuire, SAGE (*Garry Gates, Alt*)

Katie Donahue-Duran, North State BIA (*William Fisher, Alt*)

Tom Burnette, Building Official (Technical Advisor)

Marshall Cox, El Dorado Fire (Technical Advisor)

Wednesday, January 17, 2018

1:30 PM

TAC ROOM

The BIAC makes recommendations to the Board of Supervisors and Development Services Division regarding code interpretations, inspections, procedures, new construction techniques, product review, new codes, revised fees, and other items of industry concern (Resolution 164-2010)

Members Present: Jerry Homme, Jeff Haberman, Colleen Malone, Bill Carey, Earl McGuire, Garry Gates

Members Absent: Katie Donahue-Duran, Marshall Cox

Staff Present: Tom Burnette, Roger Trout, April Frace

1. CALL TO ORDER

The meeting was called to order by Jerry Homme at 1:32 p.m.

2. ADOPTION OF AGENDA

Bill Carey moved to adopt minutes, Earl McGuire seconded.

Ayes: Jerry Homme, Jeff Haberman, Colleen Malone, Bill Carey, Earl McGuire, Garry Gates

Noes:

Abstain:

Absent: Katie Donahue-Duran, Marshall Cox

3. ADOPTION OF MINUTES JUNE 14, 2017

Jerry Homme moved to adopt Agenda. Colleen Malone seconded.

Ayes: Jerry Homme, Jeff Haberman, Colleen Malone, Bill Carey, Earl McGuire, Garry Gates
Noes:
Abstain:
Absent: Katie Donahue-Duran, Marshall Cox

4. BILL CAREY, STAFF LEVELS AND EXCESS REVENUE

Bill Carey inquired where the excess revenue from the Building Department ends up. How is it spent?

Roger Trout explained that the Building Department has been a General Fund department, where we pay for our department costs, fuel, paper etc. Roger Trout explained how the cycle has worked over the years. What may happen in the near future is a 'Special Revenue Account', a stand-alone fund. No details are available yet, but the county is working to have overhead costs built into a 'Special Revenue Account' per Roger Trout.

Jerry Homme suggested the Building Department hire temporary help to keep up with demand for permits. Roger Trout stated that hiring temporary help is a possibility.

5. ANNE NOVOTNY & TOM PURCIEL, LONG RANGE PLANNING, OAK TREE ORDINANCE DISCUSSION

The El Dorado County Board of Supervisors adopted a General Plan Amendment that revises the biological resources policies and related objectives and implementation measure in the Conservation and Open Space Element of the General Plan on October 24, 2017. This amendment makes changes to the County's Oak Resources Management Plan and the Oak Resources Conservation Ordinance which is more stringent than State Law prescribes. The Oak Resources Conservation Ordinance becomes effective on November 23, 2017. The In-Lieu Mitigation Fee effective date is December 23, 2017.

The Oak Resources Management Plan Overview (ORMP) mitigation requirements are more stringent than state law which only requires mitigation of impacts to oak woodlands. The County's ORMP also requires mitigation of individual native oak trees and greater mitigation (3-to-1 ratio) for Heritage Trees which are 36 inches diameter or greater, measured four feet six inches from ground level. It also provides greater protection to individual valley oak trees and valley oak woodlands, which is the only oak woodland type in El Dorado County designated by the California Department of Fish and Wildlife as a Special-Status Vegetation Community protected under State law.

The Oak Conservation Ordinance encourages on-site retention and discourages any unnecessary removal of oak trees by charging an in-lieu mitigation fee for the removal of oak trees and oak woodlands. The in-lieu mitigation fee was adopted by resolution.

An Oak Woodland is an oak stand with a greater than 10 percent canopy cover. An Individual Native Oak Trees are any live native oak tree in the genus *Quercus* including blue, California black, canyon live, interior live, Oregon white, valley, oracle or other hybrid oaks with a single main trunk measuring greater than 6 inches but less than 36 inches in diameter at breast height (dbh) which is measured at 4 ½ feet from ground level or with a multiple trunk with an aggregate trunk diameter measuring greater than 10 inches (dbh) and is not a Heritage Tree.

A Heritage Tree is any live native oak tree (of the same genus/species as Individual Native Oak Trees) with a single main trunk measuring 36 inches (dbh) or greater, or with a multiple trunk with an aggregate trunk measuring 36 inches (dbh) or greater.

The Oak Conservation Ordinance applies to all development activities that remove oak trees below 4,000 foot elevation. The ordinance includes some exemptions that could apply to your activity.

The Oak Conservation Ordinance provides some exemption from mitigation for the removal of oaks including but not limited to:

- * Existing single-family parcels of one acre or less than cannot be further subdivided without a General Plan Amendment or Zone change
- * Fire safe activities under an approved Fire Safe Plan for existing structures
- * Utility line maintenance
- * County road projects
- * Some agricultural activities
- * Emergency operations
- * Tree removal permitted under a Timber Harvest Plan
- * Removal of dead, dying, or diseased trees (including valley oak trees and valley oak woodlands)
- * Limited personal use (such as no more than 8 trees per parcel per year)
- * Some affordable housing projects

The ORMP requires mitigation for permitted oak tree removal under the ORMP including: on-site retention; replacement planting on-site and off-site; and in-lieu fees that will be used to acquire land and/or conservation easements to conserve oak woodlands, and to plant and maintain native oak trees. (Under the prior General Plan Policy tree canopy retention was the only mitigation option available.) All mitigation requires additional permits depending upon the mitigation option chosen.

The in-lieu fee for removal of oak woodlands is calculated based on total cost per acre which is currently set at \$8,825. The in-lieu fee for removal of individual oak trees is calculated on a total cost per inch which is currently set at \$153 for a non-Heritage Tree and \$459 per inch for a Heritage Tree at a 3-to-1 ratio. The per-inch fee shall be multiplied by the total number of trunk diameter inches removed. The in-lieu fees collected will be deposited in the County's Oak Woodland Conservation Fund. That fund will be used to acquire land and/or conservation easements to conserve oak woodlands, provide for native oak tree planting, and for ongoing conservation area monitoring and management activities.

A qualified professional is an arborist certified by the International Society of Arboriculture (ISA), a qualified wildlife biologist or a Registered Professional Forester. The County does not have a recommended list of Qualified Professionals. Here are some websites of professional organizations:

- * International Society of Arboriculture: www.isa-arbor.com
- * American Society of Consulting Arborist: www.asca-consultants.org
- * California Licensed Foresters Association: www.clfa.org
- * California Board of Forestry and Fire Protection:
bofdata.fire.ca.gov/professional_forresters_registration/located_a_rpf_or_crm/

The adopted ORMP and Oak Resources Conservation Ordinance are posted on the County website on the General Plan Biological Resources Policy Update webpage:

<https://edcgovGovernment/longrangeplanning/environmental/Pages/biopolicyupdate.aspx>

6. **OPEN/PUBLIC FORUM:** No Discussion

7. **NEXT MEETING:** March 21, 2018 at 1:30 P.M.

8. **ADJOURNMENT**

Meeting adjourned at 3:12 pm by executive order.