



Mendocino County Farm Bureau

303-C Talmage Road • Ukiah, CA. 95482 • (707) 462-6664 • Fax (707) 462-6681 • Email: director@mendofb.org

Affiliated with the California Farm Bureau Federation and the American Farm Bureau Federation

December 8, 2020

Via Email: bos@mendocinocounty.org

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1010
Ukiah, CA 95482

***RE: 5f) Discussion and Possible Action Including Adoption of Urgency Ordinance
Establishing Requirements and Procedures for Removal of Fire Debris and Hazard Trees
from Private Property Following the August Complex and Oak Fires***

Dear Chair Haschak and Supervisors,

The Mendocino County Farm Bureau (MCFB) is a non-governmental, non-profit, voluntary membership, advocacy group whose purpose is to protect and promote agricultural interests throughout the county and to find solutions to the problems facing agricultural businesses and the rural community. MCFB would like to submit comments on agenda items 5f for the December 8, 2020 Board of Supervisors meeting.

Hazard Tree Removal Should Be Limited

It is understood that hazard trees or dead trees along public or private roads can create safety issues and should be addressed. However, language within this urgency ordinance expands tree removal recommendations beyond road systems and rights-of-way. The examples below expand the removal mandate to include all “real property” or on “parcels.

Section 1, R, P.5: *Therefore, **all hazard trees located on real property** within the unincorporated area of the County affected by the August Complex or Oak Fires are deemed a public nuisance and pose a hazard to the safety of the landowners, residents in the vicinity, users of roads and to the public generally*

Section 4, P.16.: *Any tree that was fire damaged in the August Complex and Oak Fires and that is in immediate danger of falling onto an eligible road **or parcel** is a hazardous tree that must be removed to eliminate the immediate threat to the public at large.*

*It is the intent of the Board of Supervisors that this Section 4 shall apply to the abatement of hazard trees threatening eligible roads **or parcels** in the unincorporated areas of the August Complex and Oak Fire areas.*

Section 4.2, F, P.17 seems to define parcel as an “improved public property.” However, it is not clear as to what improvements would trigger this definition. For example, if there is a hunting cabin on a 2,000-acre property, would this trigger tree removal on the entirety of the property? If there was a water system or fencing for livestock, does this qualify as an improvement?

MCFB does not agree that this ordinance should mandate hazard tree removal on entire properties or parcels and recommends that the scope be limited to tree removal that threatens roads, rights-of-ways or structures.

Conflicts with Forest Practice Rules

Section 3, K Temporary Log Storage Yards on P.7 states that: *This definition does not apply to logs and/or vegetation harvested or cleared as part of a timber harvest plan or exemption under the forest practice rule that are stored and/or processed on the property on which they were harvested or cleared.*

The reference above states that temporary log storage yard limitations within this ordinance do not apply to timber harvest plans or exemptions under the forest practice rules. However, if the scope of this ordinance includes hazardous tree removal on entire properties or parcels, then there are additional conflicts with the forest practice rules that need to be addressed.

There are specific requirements in the Forest Practice Rules that restrict tree removal – even dead trees – within Class I (no cutting in core zone), II, and III watercourses. There is a conflict with this ordinance and those retentions standards required within the forest practice rules. There are also restrictions for dead or alive tree removal for other biological reasons that conflict with the ordinance.

To not conflict with forest practice rules or inhibit timber harvest within the unincorporated areas of the August Complex and Oak Fire areas, MCFB reiterates the need to limit the scope of this ordinance to hazardous tree removal along roads, rights-of-ways or structures.

MCFB requests that the Board of Supervisors consider all the points above in the process of discussing agenda item 5f. If there are any questions on any of the above points, please do not hesitate to contact the MCFB office.

Sincerely,

A handwritten signature in cursive script that reads "George Hollister".

George Hollister
President