



**ITEM V-B: TREE PERMIT – 7500 SIERRA COLLEGE BOULEVARD – STONERIDGE SPECIFIC PLAN PARCEL 60 MINERS RAVINE OFF-CHANNEL DETENTION BASIN – PROJECT #2006PL-095, FILE #TP-000083**

**REQUEST**

The applicant requests approval of a Tree Permit to authorize removal of approximately twelve (12) native oak trees in association with installation of flood control improvements and a creek restoration project.

Applicant/Owner - Placer County Flood Control & Water Conservation District, E. Brian Keating

**SUMMARY RECOMMENDATION**

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the findings of fact for the Tree Permit; and
- B. Approve the Tree Permit subject to six (6) conditions.

**SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues with this request. The applicant has reviewed, and is in agreement with, the recommended conditions of approval.

**BACKGROUND**

The City of Roseville adopted the Stoneridge Specific Plan (SRSP) on March 18, 1998. The subject project includes Parcels 60 and 61 within the SRSP, plus an additional 0.20-acre area on the east side of Sierra College Boulevard within Placer County (Attachment 1). When the SRSP was adopted Parcels 60 and 61 were privately owned, and referred to as the Dowling Property. Parcel 60 was designated for Open Space, and Parcel 61 for private recreation. The parcels formerly contained sewage treatment ponds that were abandoned in 1986 and cleared of sludge in 1987. The Placer County Flood Control & Water Conservation District (the District) has subsequently acquired both parcels.

The District is in the process of constructing on the site the Miners Ravine off-channel detention basin project. Components of the Miners Ravine basin project include:

- Increase off-channel detention capacity to decrease downstream flood flows;
- Restore and enhance wetland, riparian, and fish rearing habitat;
- Construct a multi-use recreation trail, providing connection from Sierra College Boulevard to the City's bike trail system at the western end of the proposed project site; and
- Construct a thirteen-space (13) parking lot off of Sierra College Boulevard, providing public access to the trailhead and educational opportunities (Attachment 2).

On July 13, 2006 the Planning Commission approved a Tree Permit for this same project, authorizing the removal of twenty-four (24) native oak trees, with a mitigation requirement of 229 inches (TP-000071). At that time, staff understood the request to be inclusive of all project related impacts to native oak trees.

The District is requesting approval at this time of a second Tree Permit to authorize the removal of an additional twelve (12) native oak trees. After the first permit was granted, it was discovered that approximately twelve (12) additional native oak trees would need to be removed for the project that were not authorized for removal or encroachment by the first Tree Permit.

The twelve (12) additional native oak trees were included in the Tree Survey prepared by the arborist for the Sierra College Boulevard-Widening project (immediately adjacent to the Miners Ravine project). The consultants for the Off-Channel Detention Basin project (basin project) assumed that the trees would need to be removed as part of the road-widening project. However, the Assessment of Impacts to the oak trees prepared by the arborist did not indicate that the road-widening project would require removal of the subject trees (encroachment of Tree #1259 and 1261 was indicated, 24% and 6%, respectively). Therefore, the Sierra College Widening Project Tree Permit that authorized the removal of thirty-one (31) native oak trees did not include authorization to remove the subject trees (file #TP 04-42, approved March 24, 2005).

The Arborist Report for the twelve (12) subject trees is included as Exhibit A, the locations of the trees are shown on Exhibit B, and Exhibit C provides an enlargement of the tree locations. The cross-section indicated on Exhibit C is provided as Exhibit D.

## **EVALUATION**

The Tree Preservation Chapter of the City of Roseville Zoning Ordinance requires the City to consider the appropriateness of, and alternatives to, proposed tree removals and encroachments. In addition, when tree removal is requested, the City is required to review and approve the proposed mitigation plan.

### **Tree Removal**

Tree removal is requested due to grading activities for the detention basin embankment. The embankment is designed to comply with requirements of the California Department of Water Resources Division of Safety of Dams (DSOD). The embankment will be approximately twenty feet (20 feet) high above the lowest point within the detention basin and approximately twelve feet (12 feet) wide on top. Erosion protection of the embankment may include removal of seven to ten feet (7–10 feet) of material below the existing ground surface before placement of the embankment material to provide an acceptable foundation.

The Arborist's Report (Exhibit A) indicates seventeen (17) native oak trees are within the tree survey area. Of these trees, twelve (12) are subject to the City's tree preservation ordinance. The twelve (12) trees have a combined Diameter at Breast Height (DBH) of 152 inches. The trees are proposed for removal due to the above-described embankment grading activities (Exhibits B, C and D). The locations of the trees in relationship to the project are indicated on Exhibit C.

Although the oak trees proposed for removal appear to be outside the limits of the embankment on Exhibits B and C, excavation and backfill limits to construct the embankments to meet DSOD specifications require removal of the trees. The applicant has provided a cross-section (Exhibit D) to clarify the level of grading in this area. The tree base elevations vary between 243 to 245 feet. The area in the vicinity of the trees will be excavated to an elevation of approximately 235 feet (final depth may be greater depending on soil conditions). It is anticipated the bottom of the excavation in the vicinity of the trees will be approximately ten to twelve feet (10-12 ft.) below existing grade. The cut slope to achieve that grade essentially starts at the future back of walk on the widened roadway.

Following completion of the excavation and compaction of the embankment fill, the finish grade in the vicinity of the trees will be approximately 250 feet, with five to seven feet (5-7 ft.) of fill over existing grade (243 to 245 feet existing grade).

The Placer County Flood Control & Water Conservation District contractors have found that groundwater levels are higher than anticipated in the vicinity of the subject trees, making it difficult to construct the embankment in this area. To compensate for the groundwater level the District is revising the location of the embankment further away from Sierra College Boulevard and the subject trees. They have discussed with City of Roseville staff the possibility of relocating the bike trail; conceptually the Public Works Department would accept the proposed revision. Some of the trees may be retained. The number that could be retained is not known at this time. The number that could be retained will be based in part on the revised design, but also on soil conditions that will not be known until excavation begins in the area (i.e., if solid foundation is found to be deeper than projected, then excavation will go deeper and wider than anticipated).

Typically, staff would direct the applicant to finalize the revised drawings, and determine the actual number of trees required for removal before scheduling the application for a public hearing. However, the District has timing and funding constraints. Pursuant to the conditions of the Department of Fish and Game Streambed Alteration Agreement work within the streambed is to be stopped by October 15, 2006 (Attachment 4). By the time the District has prepared the revision and returned to the Commission at a subsequent hearing date, it may be too late to complete the work by October 15th. In that event, the District has verbally indicated they will lose certain grant funds that were supplied with a stipulation that the District is required to use the funds by the end of 2006.

The applicant and their consultants have indicated every effort will be made to retain as many oak trees as possible. However, in the interest of the project timing and funding constraints, they are requesting authorization to remove the twelve (12) oak trees as requested, because at this time they do not know which trees or how many trees would be required for removal to complete the project.

**Condition 2** is written as granting conditional approval to remove the oak trees, subject to review by Engineering, Transportation (for revised bike trail alignment) and Planning.

**Alternative Action:** If the Planning Commission would prefer to review the revised designs before authorizing the requested tree removals, then as an alternative action the Planning Commission has the option to request that the item be scheduled for a second hearing date following preparation of the proposed redesign of the detention basin embankment. With that response it would then be known how many and which of the twelve (12) oak trees proposed for removal could be retained. However, as stated above, delays in the construction schedule may preclude expected project features from being constructed in 2006; as such the project would not be fully functioning and providing anticipated flood benefits for the 2006 rainy season.

The applicant's preference is for the Planning Commission to approve the tree removals as requested.

### **Mitigation Plan**

The proposed project includes flood control improvements as well as environmental restoration and enhancement components. As part of the environmental restoration and enhancement efforts, native plantings will be installed adjacent to Miners Ravine (floodplain plantings) and around the parking lot (street frontage plantings). A total of 445 native oak tree-pots and 15-gallon trees (i.e., valley, interior live, and blue) and 1,120 native non-oak cuttings, tree-pots, and 15-gallon trees (i.e., cottonwood, western redbud, and willow species) will be installed as part of the floodplain and street frontage plantings. The tree mitigation plan developed for the proposed project covers the mitigation

requirements from the first Tree Permit approved in July 2006 and this second Tree Permit. As a result, this discussion of the mitigation plan looks at the total mitigation required between both Tree Permits.

Condition 4 requires the applicant to provide mitigation for the removal of thirty-six (36) trees (24 from the first Tree Permit and 12 from the second Tree Permit). Based on the City of Roseville mitigation procedures the owner/applicant is required to mitigate for a total of 379 inches (229 inches from the first Tree Permit and 150 inches from the second Tree Permit).

Mitigation credit may be given for on-site plantings of replacement native oak trees. Acceptable native oak trees include Valley Oak (*Quercus lobata*), Blue Oak (*Quercus douglasii*), Interior Live Oak (*Quercus wislizenii*), or hybrids. Credit may be given for on site plantings of other trees, up to 50% of the mitigation requirement. Plantings of native oak and other trees within the street frontage planting can be used to receive mitigation credit. Fifteen (15) gallon size native oak trees will be given mitigation credit for one (1) inch of DBH of removed oak tree. Tree-pots native oak trees will be given mitigation credit for one-half (½) inch of DBH of removed oak tree. A revegetation program may be given mitigation credit based on seedlings successfully achieving one-half (½) inch in diameter by the completion of the monitoring period.

The Section 404 Clean Water Act permit issued by the U.S. Army Corps of Engineers for the project includes a requirement to provide monitoring for up to ten years; this period could potentially be less if the habitat restoration can be completed in less than ten years. In any event, the site will be required by the Corps to be monitored for a minimum of five years. During that time replacement plantings will be provided as needed to achieve the required number of mitigation inches.

As part of the environmental restoration and enhancement efforts, tree plantings will be installed within Miners Ravine and around the new parking lot. A total of 1,120 native non-oak (i.e., cottonwood, redbud, and willow species), and 445 native oak cuttings, tree-pots and trees (i.e., blue, interior live, and valley oaks) will be planted as part of the floodplain and street frontage plantings.

The first Tree Permit was conditioned to provide through on-site plantings 229 inches of mitigation for the requested twenty-four (24) oak tree removals. The applicant is proposing to revise the mitigation plan to incorporate the additional 150 inches of mitigation that would be required to provide inch-for-inch mitigation for the requested removal of the additional twelve (12) native oak trees (379 inches, total). The project mitigation plan is revised to provide a total of 379 inches through on-site plantings surrounding the parking lot and the mitigation/habitat restoration-planting plan (Exhibit E). Mitigation credit would be given for on-site plantings as described below.

### **Native Oak Tree Plantings**

Native oak tree plantings –Minimum 189.5” mitigation requirement

1” credit given for plantings of 15-gallon trees = 28” credit for (28) 15-gallon trees\*

*\*Blue oak (6), Valley oak (18), and Interior live oak (4) trees, a total of twenty-eight (28) trees*

½ inch credit given for on-site tree pot plantings of native oak trees

417 tree pots\* x ½” credit = 208.5” credit

*\* Valley oak (209) and Interior live oak (208) tree-pots, a total of 417 trees*

28” credit for 15-gallon trees + 208.5” credit for tree-pots = 236.5”

### **Native Non-Oak Tree Plantings**

Native non-oak tree plantings may not exceed fulfilling 50% of the required mitigation

379” mitigation requirement x 50% = 189.5”

½ inch credit given for on-site tree pot plantings of non-oak trees

778 tree pots\* x ½” credit = 389”

Meets and exceeds the 189.5" non-oak tree mitigation requirement

*\*Non-oak tree pots include Western redbud (72), Cottonwood (60), and various willows (646) for a total of 778 tree pots.*

*Note: The project is also planting 50 cottonwood cuttings and 292 willow cuttings, but these cuttings have not been included in the native non-oak tree planting assessment; only tree pots have been included in the calculations.*

Based on the proposed Planting Plan and the required monitoring period, on-site plantings will meet and exceed mitigation requirements.

**CONCLUSION:** As discussed at the prior public hearing held in July, the project would provide public benefits. With the Planning Commission's approval of the previous Tree Permit the project is under construction, but with a very short time period to complete grading activities. In the interest of allowing the project to continue in a timely manner, staff is recommending approval of the oak tree removals as proposed, with the condition that staff review the revised basin design and determine how many of the twelve (12) trees may be retained before any removals occur.

### **ENVIRONMENTAL DETERMINATION**

The Placer County Board of Supervisors has determined the above project will not have a significant effect on the environment and a Mitigated Negative Declaration was adopted. This determination was based on an Initial Study that concluded certain mitigation measures are incorporated into the project that will avoid potentially significant effects on the environment. The Placer County Flood Control & Water Conservation District adopted the Mitigated Negative Declaration and Mitigation Monitoring plan on February 6, 2006 (Attachment 3, available for review at Planning & Redevelopment offices).

### **RECOMMENDATIONS**

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the findings of fact below for the TREE PERMIT - 7500 SIERRA COLLEGE BOULEVARD (SRSP PARCEL 60, MINERS RAVINE OFF-CHANNEL DETENTION BASIN) – FILE # TP-000083:
  1. *The removal of twelve (12) native oak trees as listed in Exhibit B and as shown on Exhibit C is required to enable the construction of flood control improvements benefiting downstream flows and to provide additional public benefits.*
  2. *The Tree Permit is consistent with the provisions of Chapter 19.66 of the Roseville Zoning Ordinance.*
  3. *Mitigation measures have been included as conditions of approval in order to mitigate for the trees to be removed as well as to minimize impacts to adjacent trees that will be preserved in the area.*
- B. Approve the TREE PERMIT - 7500 SIERRA COLLEGE BOULEVARD (SRSP PARCEL 60, MINERS RAVINE OFF-CHANNEL DETENTION BASIN) – FILE # TP-000083 with the six (6) conditions as listed below.

**CONDITIONS OF APPROVAL FOR THE TREE PERMIT (TP-000071):**

| CONDITION  | COMPLIANCE<br>VERIFIED/<br>INSPECTED | COMMENTS |
|--|--------------------------------------|----------|
| <b>PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE</b>  |                                      |          |
| 1. All recommendations contained in the Arborist Report (Exhibit A) shall be incorporated as part of these conditions except as modified herein. (Planning)  |                                      |          |
| 2. Trees #338, 340, 576, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, and 1267 as listed in Exhibit A and as shown on Exhibits B and C are conditionally approved for removal with this tree permit, subject to concurrence by Engineering, Transportation, and Planning following their review of the revised basin embankment design. Efforts shall be made to retain all of the trees as feasible. Trees to be removed shall be clearly marked in the field and inspected by Planning Staff prior to removal. Removal of the trees shall be performed by or under the supervision of a certified arborist. (Planning)  |                                      |          |
| 3. The owner/applicant shall mitigate for the removal of trees on an inch-for-inch basis for 379 inches (229" TP-000071, and 150" TP-000083), or less if trees are retained. Mitigation shall be provided through on-site plantings surrounding the parking lot and the habitat restoration plan, consistent with Exhibit E. Mitigation credit given for on-site plantings of native non-oak trees shall not exceed 50% of the required mitigation; ½ inch credit shall be given for on-site tree-pot plantings based on successfully achieving a minimum ½ inch diameter at the end of the five-year monitoring period; and 1 inch credit shall be given for plantings of 15-gallon trees. (Planning) |                                      |          |
| 4. A violation of any of the conditions of this Tree Permit is a violation of the Roseville Municipal Code, the Zoning Ordinance (Chapter 19.74) and the Tree Preservation Ordinance (Chapter 19.66). Penalties for violation of any of the conditions of approval may include forfeiture of the bond, suspension or revocation of the permit, payment of restitution, and criminal penalties. (Planning)  |                                      |          |
| <b>DURING CONSTRUCTION</b>   |                                      |          |
| 5. Conditions of Approval from the prior Tree Permit approved for this project (file #TP-000071), shall remain in effect, as applicable. (Planning)  |                                      |          |

| CONDITION  | COMPLIANCE VERIFIED/<br>INSPECTED | COMMENTS |
|--|-----------------------------------|----------|
| <b><u>FOLLOWING CONSTRUCTION</u></b>   |                                   |          |
| 6. For a minimum of five years the Planning & Redevelopment Department shall receive a copy of the annual monitoring report provided to the U.S. Army Corps of Engineers. The mitigation program is for the entire project (removal of 36 trees, or 379" mitigation requirement), and shall be considered complete when the twenty-eight (28) fifteen-gallon native oaks trees are successfully planted, and 323 of the native oak tree pots and 379 of the non-native tree pots have each reached one-half (1/2) inch in diameter (consistent with Exhibit E). If oak trees are retained, the mitigation requirement shall be reduced accordingly. The City of Roseville shall require payment of a mitigation fee for the balance of oak tree mitigation owed if at the end of five years the program does not fulfill the above listed mitigation requirements, or the monitoring period may be extended. The fee shall be calculated based on the tree removal mitigation fee in effect at that time. (Planning) |                                   |          |

**ATTACHMENTS**

1. Vicinity Map
2. Off-Channel Basin Grading Plan
3. Mitigated Negative Declaration, available for viewing at City of Roseville, Planning & Redevelopment Dept., 311 Vernon Street, Roseville, CA
4. Streambed Alteration Agreement issued by California Dept. of Fish and Game

**EXHIBITS**

- A. Arborist Report dated August 2006
- B. Table 1, Revised August 23, 2006
- C. Exhibit 1, Tree Location Map
- D. Cross-Section 25+00
- E. Mitigation Planting Plan (2 sheets)

**Note to Applicant and/or Developer:** Please contact the Planning Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.