

# Vegetation Management and Facility Hardening Policy

## Policy Purpose

To comply with state and local laws, it is necessary to establish a vegetation management and facility hardening policy. Compliance with this policy will help mitigate risks to Forest Lakes Mutual Water Company’s facilities, roadways and community water supply, and to shareholder property that are caused by natural disasters, weather-related events, property neglect, or other causes.

In addition to being required by state and local laws, effective vegetation management is a positive way to help protect our community by lessening the risk of property damage caused by natural disasters, to ensure safe passage of first responders on our narrow roadways, to safeguard access to critical Forest Lakes water infrastructure, and to foster a sense of community safety and well-being.

As applied to this policy, “vegetation” includes, but may not be limited to, the following:

- Accumulated weeds, grasses, shrubs, dormant brush, hardwood slash, tree limbs, and combustible materials in and around the areas for which clearances are required by state, county, and Forest Lakes regulations (see table below).
- Trees, appurtenant limbs, or other vegetation that upon inspection is deemed to be non-compliant with state, county or Forest Lakes regulations, or that pose an imminent threat to Forest Lakes infrastructure (Identification of Vegetation Hazards below).

## Policy Application

This policy applies to the Forest Lakes Mutual Water Company (Forest Lakes, FLMWC, or company) and its shareholders.

## Compliance with State and Local Laws

State and local laws require that vegetation be trimmed back from all roadways, signage, and homes, and facilities as a means to allow safe passage, increase visibility, and protect structures. Relevant state and local codes are as follows:

County Fire Code:	State Law: Fire/Public Resources Codes and Civil Code	State Law: Civil Code
<ul style="list-style-type: none"> <li>• Requires 10’ horizontal and 15’ vertical clearance flammable vegetation, other combustible growth on each side of portions of public and private roads, streets and driveways ordinarily used for vehicular traffic</li> <li>• Does not apply to single trees or cultivated ground cover (grass, ivy, succulents, etc.) that do not contribute to rapidly spreading fire</li> </ul>	<ul style="list-style-type: none"> <li>• 100’ defensible space but not beyond property line; reduction varies within perimeter</li> <li>• Must consider flammability of structures, vegetation, location</li> <li>• Doesn’t apply to single trees or well-maintained vegetation</li> <li>• Must consider minimizing erosion, soil disturbance, spreading of nonnative veg.</li> <li>• Can consider perimeter greater than 100’ in some cases</li> <li>• Fuel reduction beyond property line requires written consent of landowner</li> <li>• Requires pruning if branches are within 10’ of a chimney or stovepipe</li> <li>• Requires vegetation maintenance adjacent to or overhanging a building</li> <li>• Requires roofs to be free of leaves, needles</li> </ul>	<ul style="list-style-type: none"> <li>• Requires maintaining easements owned by more than one person, or attached to parcels under different ownership, by sharing costs pursuant to an agreement</li> <li>• If there’s no agreement, costs are shared proportionately by use</li> </ul>

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### **Shareholder Liability and Responsibility**

Pursuant to relevant state and county laws and this policy, shareholders are responsible for vegetation management on private property to help mitigate risks associated with fires and other weather-related events, as follows:

- Maintain defensible space around homes and outbuildings as required.
- Keep bushes and trees trimmed back from all roadways and all signage to allow safe passage and increase visibility.
- Pay for contractor costs called in to remove large trees that have fallen from shareholder property onto service area roads.

Additionally, shareholders can be liable for damage to Forest Lakes roadways and infrastructure caused by trees or branches falling from private property, or damage to such roadways and infrastructure resulting from hazards created by non-compliance with the requirements stated herein.

### **Vegetation Management of Shareholder Property by Forest Lakes Mutual Water Company**

Forest Lakes regulations allow company employees to remove tree branches that have fallen from shareholder property onto service area roads or company infrastructure.

The Forest Lakes Mutual Water Company shall have the right to mitigate risks associated with vegetation on shareholder property that pose an imminent threat to company roads or infrastructure whether such mitigation is performed by company employees or licensed contractors.

### **Identification of Vegetation Hazards**

To help ensure the safety and security of Forest Lakes roadways and infrastructure, shareholders are required to comply with the vegetation management requirements established by state and local laws and this policy.

FLMWC does not routinely inspect properties located within its service area boundary but will investigate potentially hazardous situations that may pose an imminent threat to Forest Lakes infrastructure, if notified. Such investigations could include inspections conducted by Felton Fire.

Shareholders who are notified of potentially hazardous vegetation on private property that poses a threat to Forest Lakes infrastructure must undertake mitigation measures as expeditiously as possible. Non-compliance can result in being cited by CalFire.

### **Non-compliance**

Shareholders who do not maintain their properties as required by state and county regulations and this policy, or who refuse to address hazardous conditions however identified, can be cited by CalFire and will be required to cover the cost of hazard mitigation and/or vegetation removal. Failure to pay for such costs can result in the assessment of penalties consistent with FLMWC policies, including accrued interest on unpaid balances and property liens, as necessary to obtain payment in full.

### **Access Easements Over Private Property to Forest Lakes-owned Facilities (California Civil Code Section 845)**

Some of Forest Lakes facilities are accessed via easements and rights-of-way (easements) over shareholder property. State law requires owners of such easements to maintain them, including vegetation management, so that access by FLMWC or first responders is not impeded. Easements owned by more than one person, or easements attached to parcels of land under different ownership, can be jointly maintained by mutual agreement.

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In the absence of an agreement, the cost will be shared proportionately to the use made of the easement by each owner.

Easement owners who refuse to share the required maintenance costs are subject to the actions specified in Civil Code Section 845 and other applicable state law.