



The Colony Fire Mitigation Program (4/1/21 Update)

The Colony Fire Mitigation Committee:

The Colony, located in Park City, Utah, is a world-class, ski-in, ski-out, forested mountain community of up to 299 homesteads spread over approximately 4,600 acres. The Board of Trustees for the Colony HOA has established a Fire Mitigation Committee (FMC) to coordinate a comprehensive Fire Mitigation Program to promote a healthy forest and to reduce the risk of wildfire in the Colony by identification and removal of hazardous fuel in the form of dead standing and dead fallen trees, dead vegetation, ground fuel and stacked logs. The Colony completed a very successful first phase of their FM program between 2017 to 2019 with all homeowners responding positively to the first phase of the program. All homeowners responded positively and made a big step forward towards removing a large portion of dead trees and hazardous fuels from the Colony. But trees die every year and there are still many dead trees and hazardous fuels in the community. The FMC recommends moving to a continuous Fire Mitigation program where homesteads would receive Fire Mitigation Evaluations (FME) every 3 years with 1/3 of homesteads receiving FME annually. This next, more permanent phase of the FM program will leverage past practices to minimize wildfire risk to our community, maintain a healthy forest, and protect and enhance the safety and value to homeowners.

Findings, Conclusions and Recommendations of the FMC:

Findings

- The Colony continues to be at an unnecessarily increased risk of wildfire due to a significant amount of hazardous fuels throughout the Colony in the form of dead standing and dead fallen trees (mainly firs and aspens), ladder fuel (low hanging branches), dead vegetation, ground fuel (mainly sagebrush and scrub oak) and stacked logs.
- This increased risk of wildfire can be significantly reduced through the removal of these hazardous fuels.
- These hazardous fuels are on HOA-owned/controlled areas, homestead owner sites, areas that are either owned by or for which there is an easement granted for the benefit of Vail Corp., and IMA-owned/controlled areas.
- The Colony made a very positive step forward with the 2017-2020 Fire Mitigation Program and the program needs to continue a regular basis to remediate dead standing and dead fallen trees that occur naturally to reduce the risk of wildfire and maintain a healthy forest.
- The 2017-2020 Fire Mitigation program was well received by homeowners with 100% compliance to FME and a significant removal of dead and fallen trees and hazardous fuels. Many homeowners are removing dead and hazardous fuels annually. But, trees die every year and need to be removed to reduce wildfire risk and maintain a healthy forest.
- This requires a regular, on-going fire mitigation program to ensure dead trees and hazardous fuels are removed from the Colony.

Conclusions

- The fire mitigation program that was established in 2017 was very successful and made positive progress towards mitigating fire risk in the Colony.
- To ensure continued mitigation of fire risk in the Colony, the Fire Mitigation program should be continued including ongoing, periodic Fire Mitigation evaluations and homeowner mitigation in order to reduce the risk of wildfire in the Colony as well as to maintain a healthy forest.
- In order to successfully pursue an aggressive risk reduction program, there must be cooperative efforts taken by Colony HOA, Colony homestead owners, Vail Corp. and IMA.

Recommendations

- HOA will strive to employ two, five-person sawyer crews working full-time in the summer months. One crew will be dedicated to removal of HOA hazardous fuels identified by a Fire Mitigation consultant as hazardous to roadways and emergency access roads. A second crew will be for hire by Colony homestead owners for their individual property.
- HOA has retained the services of an FM consultant with strong experience in forestry management and wildland fire management to conduct comprehensive FM Evaluations (FME's) on all individual platted Colony properties in conjunction with the overall plan for the community as a whole. The FM consultant and sawyer crews will complete FMEs on individual properties every 3 years and provide inspections after remediation to ensure compliance with FME's and the Colony Fire Mitigation Policy.
- FME's will be completed per property and will include an analysis of the dead standing, dead fallen, ground fuel (e.g., sagebrush, scrub oak), trees in need of limbing, trees with evidence of beetle infestation, and stacked log piles on the homestead owner's property, as well as any other potential hazardous vegetation.
- Dead standing and fallen trees and hazardous fuels will need to be chipped on site or removed off-site for disposal. Chips should be spread no thicker than 4". In areas where it is difficult or unsafe to remove dead or fallen trees, the dead tree should be cut into 3-4' logs and other hazardous fuels should be scattered around the forest to promote decomposition.
- FME assessments will be completed on each homestead every three years with 1/3 of homesteads receiving FME evaluations every year.
- The FME's will designate a phased plan for initial hazardous fuel removal. The evaluations will be structured in a two-tier "zone" system. An area identified as a Red Zone will require cleanup within 12 months of notification. An area identified as an Orange Zone will require cleanup within 24 months of notification. After initial cleanup, all zones will be required to be maintained on an on-going basis.
- A Red Zone will include removal of all hazardous fuels that pose a primary threat to an individual homestead within 400' of the primary residence, guest house, or other structure.
- The HOA will continue to remove hazardous fuels within 20 feet of White Pine Canyon Road. The next 80 feet from the street will be included in the Red Zone and will be the responsibility of the homeowner. 100 feet on both sides of a homeowners driveway will also be the responsibility of the homeowner and part of the Red Zone.
- In situations where a neighboring structure's 400 foot safe-zone and/or 100 foot driveway safe zone includes property owned by another homestead, this area will be considered a Red Zone and each homestead will have the responsibility to mitigate up to their property line.
- A Orange Zone includes any hazardous fuels outside the Red Zone that pose a primary threat to an individual homestead including the entire property. The Orange Zone will include any new fallen or dead trees that may have occurred since the Red Zone mitigation.
- Homeowners will continue to be encouraged to remove dead or fallen trees and hazardous fuels on a regular basis as they occur naturally.
- **Penalties.** After notification of an FME, if cleanup work is not completed according to the zone schedule, beginning 12 months after receipt of the FME, a \$5,000.00 fine will be assessed against the homestead owner for each month that passes without completion of work. If a homestead owner has demonstrated that despite a good faith effort, the homestead owner is unable to meet the deadline and comply with the zone schedule cleanup, the homestead owner may apply for a schedule exception. Granting an exception is at the sole discretion of the HOA.

After 24 months from notification of the FME, if the work required in the FME has not been completed, fines will continue at \$5,000.00 per month and the HOA reserves the right to have the work completed at a rate double the then current HOA sawyer crew hourly rate. Any unpaid fines or outstanding invoices for clean-up violation obligations will accrue monthly interest at the rate of LIBOR plus three percent.

- Homestead owners shall either retain the HOA sawyer crew or an outside tree removal service to remove hazardous fuels. Such outside service providers must sign an acknowledgement as to the HOA rules for tree removal and the homestead owner must sign as to their acknowledgment that any violation by their outside service provider may result in penalties to the homestead owner including, without limitation, monetary fines and/or vegetative remediation.

- In order to avoid penalties, after FME work has been completed, a homestead owner must contact the HOA to schedule a final review and sign-off.
- HOA will meet with Vail Corp annually before the “removal season” (approximately Apr thru Nov) to identify areas within The Colony that are either owned by or for which easements have been granted for the benefit of Vail Corp. from which Vail Corp. shall remove hazardous fuels during that removal season.
- HOA will meet with IMA annually before the “removal season” (approximately Apr thru Nov) to identify areas within The Colony that IMA owns that require hazardous fuel removal consistent with the Colony HOA Fire Mitigation Program.