

Published March 31st, 2021

Fuel abatement deadline looms for local property owners

By Jennifer Wake



Dead trees at 46 Cedar Terrace before ArborWorks Photos provided

When it comes to making the Lamorinda community safe from wildfires, especially after a dry winter, time is of the essence. But when dead trees, brush or grasses need removal from your property, time isn't always on your side.

For one Orinda property owner, time ran out on Sept. 17, 2020. The Moraga-Orinda Fire District board of directors held a public hearing March 17 to address the costs incurred to remove dead trees at 46 Cedar Terrace. According to a report provided to the board by MOFD Fire Marshal Jeff Isaacs, "In accordance with the California Health and Safety Code, the Board of Directors must hold a public hearing to confirm the costs of abatement incurred by the Fire District in abating separate parcels of land. The purpose of the hearing is to review any objections from property owners legally responsible to be assessed." The total cost of abatement was \$14,610 - \$4,870 of which was MOFD administrative costs.

The property owner, Jandali Nasser, and his son spoke during the March 17 MOFD board meeting via Zoom to ask for a reduction in the costs, and to explain their situation.

While the property owner had started the work to clear 12 dead trees on his property, the time it was taking and the debris it was generating became problematic. Nasser was sent an absentee landlord letter following an inspection on June 19, 2020 by MOFD Fuels Mitigation Manager Gordon Graham. After two more inspections in July, a public hearing was held July 15, 2020 due to failure to comply with the Notice to Abate order. During an inspection on Aug. 7, 2020, Graham noted that slight mitigation had been done, but there was still much to do.

Graham visited the property four more times before MOFD stepped in on Sept. 17, 2020, using a certified contractor, ArborWorks, which had the property cleared to fire code standards within two days.

Prior to that work being done, MOFD Fire Chief Dave Winnacker at the March 17 hearing noted that "dead trees were lining the road, logs were dropped down the hill and dead trees were on the ground," adding, "Folks doing the work did not appear to be contractors." According to Winnacker, more work needs to be done before the June mitigation deadline. "There are still dead trees on the property."

According to Isaacs, most property owners don't realize that the fire code requires dead trees be removed.

"The Fire Code requires that dead, dying or diseased trees to be removed from all parcels," Isaacs said. "We recommend that property owners that are concerned or have questions about trees on their property speak with a certified arborist or Registered Professional Forester. Property owners are required to maintain their property year-round." The deadline for annual and seasonal grass is May 31.

"Homeowners will create defensible space around their home, but fail to maintain their entire property as required in the Fire Code," Isaacs said. "Parcels that are one acre and under require complete abatement of the property, not just around the home."

While MOFD cannot recommend specific contractors, and cannot endorse them or imply approval of the quality of work performed, the MOFD website (mofd.org) does list five contractors who have contacted the district, including ArborWorks, Inc., East Bay Tree Service, Expert Tree Service, Firerready and Scott Carr. The Contra Costa County Fire Protection District website (cccpd.org) also lists potential contractors.

And while tree removal may not be as extensive for some as on the Orinda property, no matter what mitigation is required, the time to start is now. With the height of fire season just around the corner, the clock is ticking.

For information on Fuel Abatement requirements, visit:

www.mofd.org/our-district/fuels-mitigation-fire-prevention/hazardous-wildfire-fuels-reduction-program

(Lafayette residents, visit <https://www.cccfpd.org/wildfireprep>)

To see a list of contractors that have worked with MOFD, visit:

www.mofd.org/home/showpublisheddocument?id=1454



ArborWorks Completion

Reach the reporter at: jennifer@lamorindaweekly.com

[back](#)

Copyright © Lamorinda Weekly, Moraga CA