

**County of Sacramento, Department of Regional Parks
Fuel Break Encroachment Permit No. 17-xx**

APPROPRIATION OF PARK PROPERTY

Pursuant to Section § 9.36.063 © of the Sacramento County Code regarding use of the park property, no person shall, without a permit from the Director of Regional Parks: Dig up, pick, remove, mutilate,

injure, cut, or destroy any turf, tree, plant, shrub, bloom, flower, artifact, or archeological site, or any portion thereof.

THIS PERMIT IS ISSUED SUBJECT TO THE FOLLOWING PROVISIONS AND CONDITIONS:

Acceptance of Provisions and Conditions: It is understood and agreed by the Permittee that the doing of work under this Permit shall constitute an acceptance of all provisions and conditions thereof.

Keep Permit on the Work Site: This Permit shall be kept at the site of the work and must be shown to any representative of the Department of Regional Parks or any law enforcement officer upon demand (Sacramento County Code §9.36.052).

Non-Exclusive use: This Permit does not authorize exclusive rights to the property. Permittee may be required to cooperate and coordinate the work and/or encroachment activity with other interests who may require passage or encroachment. Permittee does have exclusive right to their own property (equipment and materials) and would not be required to relinquish such right to others.

Transferability: This Permit is intended for the exclusive use of the Permittee, its contractors, and those designated by the Permittee to perform work under this Permit.

Release: IN CONSIDERATION FOR BEING ISSUED A PERMIT, PERMITTEE HEREBY RELEASES THE COUNTY OF SACRAMENTO, ITS GOVERNING BOARD, OFFICERS, DIRECTORS, EMPLOYEES AND AUTHORIZED AGENTS AND VOLUNTEERS FROM AND AGAINST ANY AND ALL LIABILITIES, LOSSES, SUITS, CLAIMS, JUDGEMENTS, FINES, OR DEMANDS RESULTING FROM BODILY INJURY, INCLUDING DEATH AND PROPERTY DAMAGE OR DESTRUCTION OF PROPERTY, INCLUDING LOSS OF USE, ARISING OUT OF, PERTAINING TO, OR RESULTING FROM THE USE OF THIS PERMIT, EXCEPT FOR INJURIES AND DAMAGE CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE COUNTY. TO THE FULLEST EXTENT ALLOWED BY LAW, THIS RELEASE SHALL BE BINDING ON PERMITTEE, ITS HEIRS, ASSIGNS, AND EXECUTORS.

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SPECIFIC CONDITIONS:

Containment of Work Area: The project site and permitted encroachments shall be located on Sacramento County Department of Regional Parks property, within 50 feet of the private property line of the address listed on this permit's cover sheet.

Fuel types: Only herbaceous, non-woody vegetation, such as grasses and weeds, may be cut. Permittee shall NOT cut woody plants, such as trees, shrubs, or vines. Tree care, such as trimming of branches, may be allowed with approval of the Director of the Department of Regional Parks, or designated representative

Soil Disturbance: Permittee shall not expose bare soil and avoid soil disturbance.

Wildfire Risk Reduction: Gas and electrical equipment can all spark a wildland fire. Metal blades striking rocks can also create sparks and start fires. In order to minimize the risk of starting a fire, Permittee shall abide by the following guidelines.

- 1) No work shall be performed on Fire Weather Watch (Red Flag Warning) Days. Check: <http://www.weather.gov/>.
- 2) Only hand tools and/or a string trimmer with a plastic string shall be used. Permittee shall NOT use a lawn mower.
- 3) All work shall be completed before 10 am.
- 4) No work shall be done when winds exceed 15mph.
- 3) If a portable gasoline-powered string trimmer is used, it shall be equipped with a properly working spark arrester.

Herbicide Use: Permittee shall not apply herbicide to County Park property.

Improvements: Permittee shall not install or maintain turf, gardens, irrigation, hardscaping, or other types of improvements on Sacramento County Regional Parks property.

Dust/Erosion/Pollution Control: Permittee shall take all reasonable measures to prevent or minimize fugitive dust and erosion during project in order to avoid or minimize environmental damage and conflicts with park users and adjacent

residences.

Hazards/Liability: Permittee shall take all reasonable actions to insure that Permittee's activities on the encroached areas do not present a safety hazard or attractive nuisance to park users.

Minimum Interference with Park Use: All work shall accommodate safe use of the Parkway by park users and shall be planned and carried out so that there will be the least possible inconvenience to the general public using the park.

Biological Resources: All trees, shrubs, and woody vines in the project area and vicinity shall be protected and preserved. No tree or shrub taller than 24 inches in height shall be trimmed, pruned, damaged or removed,

Elderberry and Longhorn Beetle Habitat: Elderberry shrubs or trees are known to exist in the project vicinity. Elderberry shrubs are host plants for the Valley Elderberry Longhorn Beetle (VELB), listed as Threatened under the federal Endangered Species Act. Therefore, no elderberry shrub or tree shall be disturbed without an appropriate permit from the United States Fish and Wildlife Service.

Termination: County may withdraw or cancel this Encroachment Permit upon written notice.

Permit Type: It has been determined that this encroachment request constitutes a Type II Permit: modification to facilities or grounds. The fire fuel benefits of cutting highly ignitable grasses and herbaceous weeds are in lieu of the permit processing fee required to execute this permit.