

# Utah's New Wildland Fire Policy

**What does it mean?**

**How will it be implemented?**



# History

- Aid rendered by state and federal agencies regularly to towns and cities
- 2005-2006 Catastrophic Fire Seasons
- GAO and IG Audits federal programs
- Incorporated Towns and Cities received bills

# Reality of the Situation

- Municipalities have annexed land subject to wildland fire
- Financial liability wildfires not recognized
- Municipalities not eligible for financial assistance
- Fires don't recognize lines on maps
- Municipalities are financially vulnerable

# Hierarchy Agreements

- Division maintains “Master Agreement” with federal agencies
- Annual Operating Plans: local, statewide
- Division maintains agreements with counties and other state agencies
- Division maintains MOU with local agencies (tier off of county agreement)
- Local maintain inter-local agreements

# Protocol Developed

- 2006 Group of local, state and federal
- Part of Color Country AOP
- Communicates intent to all parties:
  - Roles and responsibilities
  - NIMS and ICS usage
  - Authorities
  - Limitations-cost sharing-minimum billing
  - Need for documentation

# Basic Protocols

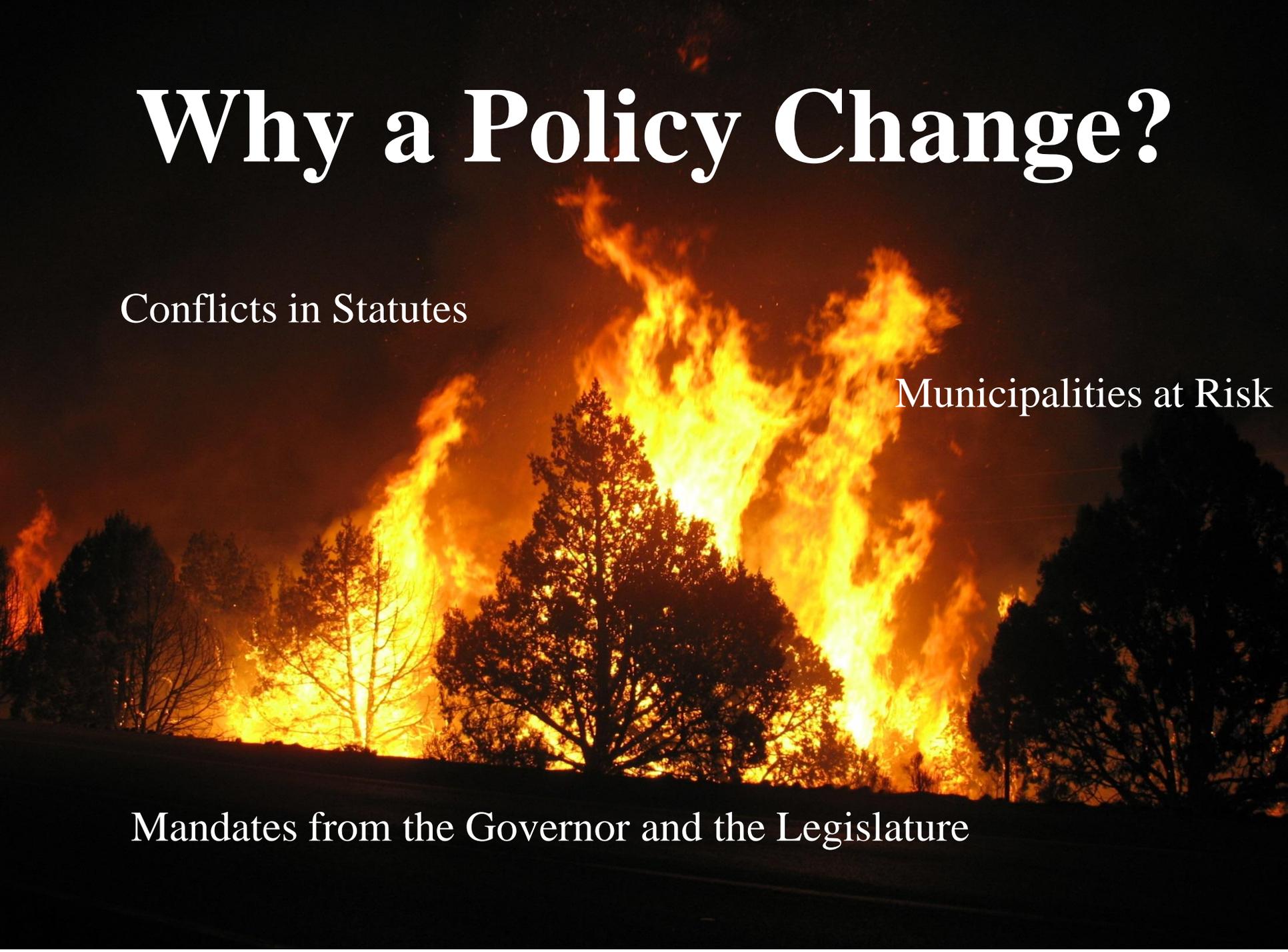
- Firefighter and Public Safety
- One Color Country C.O. + an engine
- Establish Jurisdiction ASAP
- Determine threat: Yes-No or Assistance
  - No threat or assistance needed
  - CC resources withdraw

# Assistance

- Consult on tactics, strategy, objectives, communications plan and cost responsibility
- Assure critical information is documented early in the incident
- Notify dispatch(s) assistance is being rendered

- Minimum Billing Threshold
  - \$5000 per supporting agency
- Fire will be named: “Assist” 1, 2 3
- If fire becomes “Delegated” standard naming convention is used

# Why a Policy Change?

A large, intense fire is burning at night, with bright orange and yellow flames rising into a dark sky. In the foreground, the dark silhouettes of several trees are visible against the fire's glow. The overall scene is dramatic and suggests a significant risk or emergency.

Conflicts in Statutes

Municipalities at Risk

Mandates from the Governor and the Legislature

# Local Government Requirements

- **Trained and Certified Wildland Firefighters** within local fire departments
  - FFSL already provides local firefighter training and certification, and can continue to do so.
- **Equipment Standards** to meet National Wildfire Coordinating Group (NWCG) “Operating Principles and Guidelines”
  - FFSL already provides equipment and/or grants to obtain equipment as well as assists local fire departments to meet & maintain NWCG standards, and can continue to do so.
- **Cooperative Agreements** with FFSL, which must include a “built-in” incentive for local government and fire departments to continue to provide **initial attack** on wildland fire within their jurisdiction
  - This would be similar to the existing “County Agreements” and initial attack commitments.
- **Community Wildfire Preparedness Plan** (CWPP), adopted and regularly updated
  - FFSL already assists communities with CWPP planning, and can continue to do so.
- **Wildland Urban Interface (WUI) Ordinance**, including both land use and building code, enacted *and* enforced
  - Utah Uniform Code Council is considering WUI code for adoption into the Uniform Code Package in 2017

# Policy Change Results

Local prevention, mitigation & preparedness actions  
(local “participation contributions”) tied to CWPPs based on  
risk and history

Locals responsible for IA

State Pays large fire costs

Goal of Fire Adapted Communities

# **Delegation of Authority and Transfer of Fiscal Responsibility**

**Occurs simultaneously with one of the following:**

- 1. State or federally owned lands are involved in the incident**
- 2. Firefighting resources are ordered through and Interagency Fire Center (beyond the preplanned run card)**
- 3. At the request of the Participating Entity having jurisdiction by the local fire official on scene**
- 4. By decision of the State Forester after consultation with local authorities**

- Delegation to FFSL means FFSL or its designee becomes the primary incident commander, in a Unified Command environment with the agency(ies) having jurisdiction
- Some federal officers will be trained to get this procedure done in the absence of an FFSL official

**Delegation of Fire Management Authority  
and  
Transfer of Fiscal Responsibility  
between  
Utah Division of Forestry, Fire and State Lands  
and**

\_\_\_\_\_  
[Participating Eligible Entity]

**Definition as outlined in the Cooperative Agreement for Participating Entities:**

Delegation of Fire Management Authority and Transfer of Fiscal Responsibility (“Delegation”) occur simultaneously with **one** of the following events (check all that apply):

- State or federally owned lands are involved in the incident; or,
- firefighting resources are ordered through an Interagency Fire Center (beyond “pre-planned dispatch”); or,
- at the request of the Participating Entity having jurisdiction by the local fire official on scene; or,
- by decision of the State Forester after consultation with local authorities.

Delegation to FFSL means FFSL or its designee becomes the primary incident commander, in a unified command environment with the agency(ies) having jurisdiction.

BASED UPON at least one of the foregoing having occurred, it is hereby agreed by and between the parties that Fire Management Authority and Fiscal Responsibility is hereby delegated and transferred to the Division of Forestry, Fire and State Lands. Responsibility for fire suppression costs depends upon applicable statutes, rules, and agreements.

**Participating Entity Fire Official:**

\_\_\_\_\_  
Name/Title Signature

\_\_\_\_\_  
Date Time

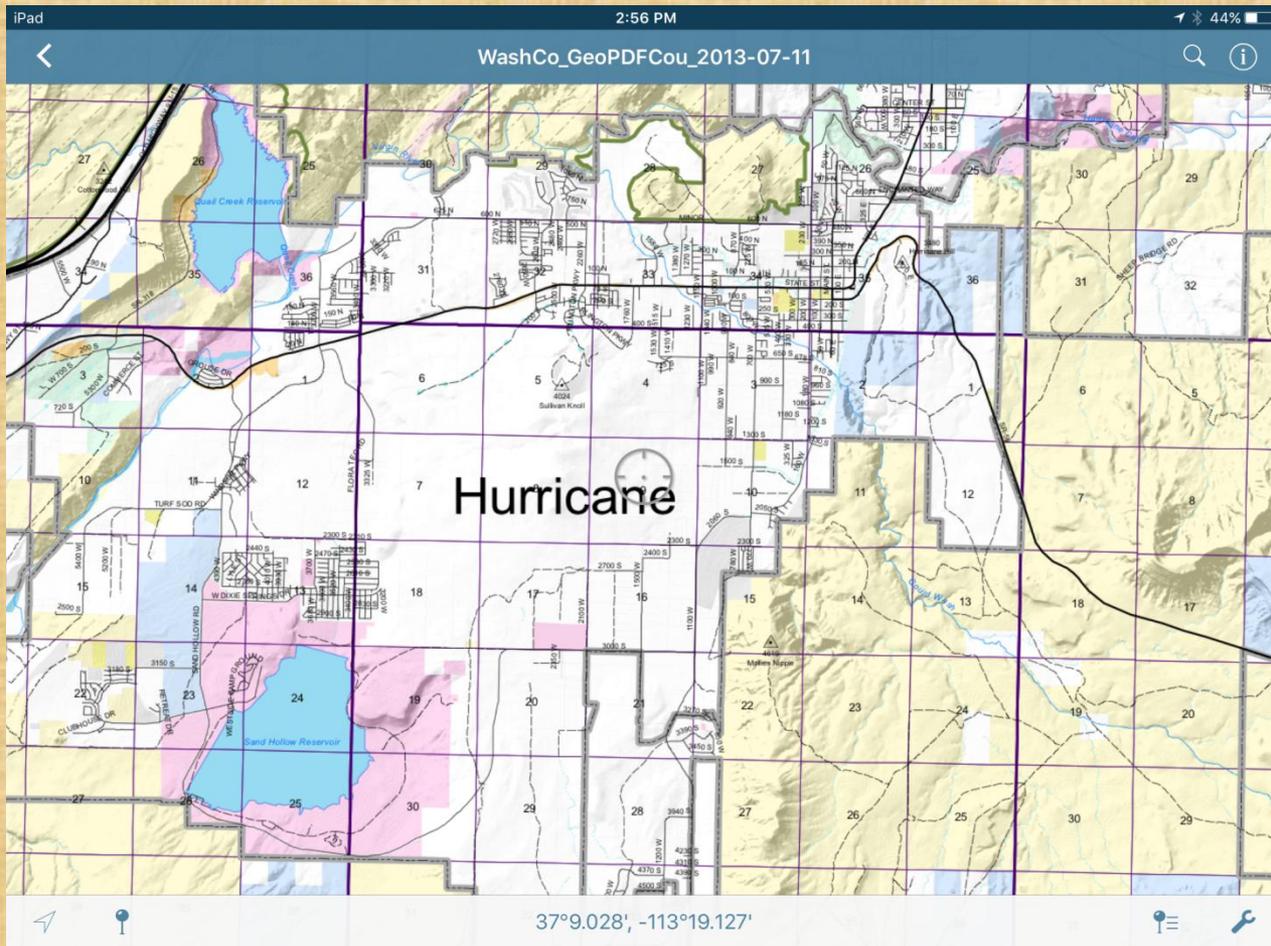
**Forestry, Fire and State Lands Official (or designee):**

\_\_\_\_\_  
Name/Title Signature

\_\_\_\_\_  
Date Time

\_\_\_\_\_  
Incident Name Incident Number

# Avenza PDF Maps



# **Boundary or Multi-Jurisdictional Fires**

- Establish Unified Command
- Agree on tactics, strategy, objectives, communications plan
- Cost responsibility or cost sharing method
- Agree on an Incident Commanders and co-locate with agency reps
- Notify dispatch(s) Unified Command has been established

- Assure critical info is documented
- Resources ordered without agreement of the other agency(s) shall be the financial responsibility of the ordering agency and considered an independent action

- Such independent actions shall be documented in the cost share agreement
- CCIFC will issue a fire code number. The fire code number will be used to track all orders
- CCIFC will notify the FFSL FMO or Area Manager and appropriate Federal FMO or Line Officer

# Independent Actions

- Nothing prohibits one agency from taking action on another to protect their own jurisdiction
- Must promptly notify AHJ
- Actions are financial responsibility of agency taking action

# ***Questions & Discussion***