

# 2019 OURAY COUNTY WILDFIRE ANNUAL OPERATING PLAN

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# PREAMBLE

This annual operating plan (AOP) is prepared pursuant to the Colorado Statewide Wildland Fire Management Annual Operating Plan (Statewide Agreement), Agreement for Cooperative Wildfire Protection (State to County Agreement), and Statewide resource mobilization annex.

# PURPOSE

The purpose of this AOP is to set forth standard operating procedures and responsibilities to implement cooperative wildfire protection on all lands within Ouray County.

This purpose comes from the notion that a fire, whether single jurisdiction or multiple jurisdictions, has the potential to affect all other jurisdictions in a given geographic area. In other words, a local fire affects the federal agencies and a federal fire affects the local agencies. As such, the policies, procedure, and concerns of all levels of government should be taken into account when making fire management decisions.

# AUTHORITIES

- Colorado Statewide Cooperative Wildland Fire Management and Stafford Act Response Agreement Between:
  - BUREAU OF LAND MANAGEMENT – COLORADO Agreement Number BLM-MOU-CO-538
  - NATIONAL PARK SERVICE – INTERMOUNTAIN REGION Agreement Number F1249110016
  - BUREAU OF INDIAN AFFAIRS – SOUTHWEST REGION (no agreement number)
  - UNITED STATES FISH AND WILDLIFE SERVICE – MOUNTAIN PRAIRIE REGION
  - UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE – ROCKY MOUNTAIN REGION Agreement Number 11-FI-11020000-017
- Ouray County, Intergovernmental Agreement for Participation in the Colorado Emergency Fire Fund
- Agreement for Cooperative Wildfire Protection in Ouray County
- Ouray County Emergency preparedness Plan. (Ouraycountyco.gov)

# RECITALS

Participants of this AOP include, Ouray County Sheriff, Ouray Board of County Commissioners, Division of Fire Prevention and Control (DFPC), U.S. Forest Service (USFS), and Bureau of Land Management (BLM). All participants of this AOP agree to coordinate their wildfire protection activities as outlined herein.

# INTERAGENCY COOPERATION

## Interagency Dispatch Centers

- Montrose Interagency Dispatch Center (MTC)
- Montrose County Communication Center

## Interagency Resources

See the “Directory of Personnel” section for resource and contact information in EXHIBIT 1.

## Standards

Prior to dispatch out of local jurisdiction, all resources should meet NWCG standards.

# PREPAREDNESS

## Protection Planning

Each jurisdictional agency has ultimate responsibility for wildfire protection on its own lands. The County Sheriff is responsible for fire management efforts occurring in the unincorporated area of the county outside the boundaries of a fire protection district, or that exceed the capabilities of the fire protection district to control or extinguish.

## Protection Areas and Boundaries

The Fire Protection Districts and Ownership Map in EXHIBIT 2, reflects ownership and fire management responsibility for the purpose of this plan.

## Methods of Fire Protection and Suppression

Mutual Aid Fire Protection, The use of the Incident Command System, Common Organizational Structure, Common Terminology, Common Operating Procedures, Known Qualifications of Emergency Personnel.

### **Reciprocal (Mutual Aid) Fire Assistance**

Mutual aid wildfire protection has been established one mile on either side of common boundaries between all signatories to this plan. It is agreed that there should be no delay in initial response pending determination of the precise location of the fire, land ownership, or responsibility.

All parties agree to reciprocal mutual aid assistance throughout the initial attack period that can be up to 24 hours which may end earlier by mutual agreement, and preferably by 11:59 pm for ease in financial accounting of costs incurred. "Initial attack period" is defined as fire management from the time of initial report of the fire to the agreed upon termination of mutual aid. The jurisdictional agency should assume responsibility (financial as well as command) for management at the earliest possible time.

The non-reimbursable initial attack period will also apply to any local Incident Management Group (IMG) formed to provide overhead fire assistance.

### **Acquisition of Services**

N/A

### **Joint Projects and Project Plans**

If parties to this plan conduct a cooperative prescribed fire, a Cooperative Agreement with a Financial Plan will be established prior to the beginning of implementation of the project.

### **Fire Prevention**

The signatories agree to cooperate in the development and implementation of fire prevention programs.

The Colorado State Forest Service remains the lead state agency in providing technical wildfire mitigation assistance to private landowners and non-federal land owners. Assistance can be obtained by calling 970-249-9051 or by accessing their website at [www.csfs.colostate.edu](http://www.csfs.colostate.edu)

#### West Region Wildfire Council

The West Region Wildfire Council (WRWC) has become a regionally recognized resource for wildfire prevention matters. WRWC promotes wildfire preparedness and mitigation education. The WRWC's mission is to mitigate loss due to wildfire in wildland urban interface communities while fostering interagency partnerships to help prepare counties, fire protection districts, communities and agencies to plan for and mitigate potential threats from wildfire. [www.COwildfire.org](http://www.COwildfire.org)

### **Public Use Restrictions**

The purpose of Fire Restrictions and Closures (Restrictions/Closures) is to reduce the risk of human-caused fires during unusually high fire danger; and for the protection of human life and property. Restrictions/Closures should be considered when weather factors and fuel conditions indicate an increased risk to public safety and firefighting personnel. Restrictions/Closures

should be planned for the long-term danger and not change at short-term fluctuations in risk, weather, and fire danger.

Restrictions/Closures impose many limitations on the general public, and therefore should be implemented only after all other prevention measures have been taken. Restrictions/Closures should not be considered the equivalent of a fire prevention program.

Restrictions/Closures procedures should be uniform across administrative and geographic boundaries. Agency Administrators and fire management staff are responsible for coordinating with other agencies including, but not limited to, other federal land management agencies, Division of Fire Prevention and Control, Colorado Parks and Wildlife, county sheriffs, county emergency managers, and local fire departments. The scope of the Restrictions/Closures will dictate how much coordination is necessary.

Annually, the parties to the Annual Operating Plan shall review and validate the Restrictions/Closures procedures and monitor the previous year's use of the procedures to ensure Restrictions/Closures are implemented consistently. The conditions identified in the Fire Restriction/Closure Evaluation Guidelines should be agreed upon by all fire management agencies in the county before the onset of fire season and will become part of the Annual Operating Plan.

The planning process for Restrictions/Closures will include a public awareness campaign, keeping the media and public informed of the possibility of Restrictions/Closures. All press releases, description of Restrictions/Closures, and other necessary agency documents will be available in template format before the start of the fire season. Development and issuance of news releases will be coordinated with all agencies for any implementation or rescission of Restrictions/Closures. Public information about Restrictions/Closures must be broad-based, clear, and coordinated.

When the conditions identified in the Fire Restriction/Closure Evaluation Guidelines approach critical levels for an area, fire management staff will make Restriction/Closure recommendations to Agency Administrators. Agency Administrators and fire management staff will be responsible for monitoring these conditions.

Each agency must write their own Fire Prevention Order which authorizes the Restrictions/Closures within their jurisdiction. Each is responsible for using their agency's format and having their law enforcement personnel review the Order to assure it is legally correct and enforceable. Within the County, the Sheriff will recommend fire restrictions to the Board of County Commissioners, who have the authority to adopt restrictions by resolution. To reduce confusion and standardize the Restrictions/Closures, standard language should be used in all Fire Prevention Orders (Prohibited Acts).

Exemption from prohibited acts may be granted to specific entities during a Restriction/Closure as allowed by local, state, and federal laws. Exemptions to a Fire Prevention Order will be included in the Order and identify those persons or actions that are exempted from the

prohibited acts. An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.

County Sheriffs' that have emergency needs to bypass the Fire Restrictions and Closures procedures will immediately notify Montrose Interagency Dispatch Center of the status of Restrictions/Closures occurring in their jurisdictions.

When a level of restriction is no longer needed, the Restriction/Closure may go to a lower stage by implementing a new, supplemental or modified Order; or the Restriction/Closure may be rescinded. Removal of Restrictions/Closures will follow the same procedures outlined above. See EXHIBIT 3. **coemergency.com to view statewide restrictions.**

### **Burning Permits**

Each Agency can issue permits on lands within its jurisdiction. When such permits are issued for lands within the protection boundary of a cooperator, the cooperator shall be informed of the time and location the permit is issued.

### **Prescribed Fire (Planned Ignitions) and Fuels Management**

The agencies agree to cooperate in the development and implementation of prescribed burning, appropriate management, and fuels reduction projects. The West Region Wildfire Council and the Colorado State Forest Service are available as a resource in acquiring grant funding for hazardous fuels mitigation, Firewise education, and community wildfire protection planning efforts for private landowners. The Colorado State Forest Service remains the lead state agency in providing technical wildfire mitigation assistance to private landowners and non-federal land owners. Assistance can be obtained by calling 970-249-9051 or by accessing their website at [www.csfs.colostate.edu](http://www.csfs.colostate.edu)

Wildfires resulting from escaped prescribed fires ignited by a party to this plan on lands it manages shall be the responsibility of that party. The party responsible for the prescribed fire will reimburse other parties to this plan consistent with the terms and conditions contained herein for costs incurred in management of such fires.

### **Smoke Management**

Local considerations; use of Air Resource Advisors.

## **OPERATIONS**

### **Fire Notifications**

Montrose County Communications and Montrose Interagency Dispatch Center (MTC), should meet annually to discuss dispatch coordination procedures. County Communications with MTC will receive reports of wildfires and coordinate the notification and/or dispatch of the appropriate jurisdictional agency for ALL wildfires, regardless of location.



## **Boundary Line Fires**

- If a wildland fire crosses or threatens a jurisdictional boundary the protecting agencies on both side of the boundary have management responsibility. Anytime more than one jurisdiction with responsibility is involved in the management of a fire, a coordinated management approach should be utilized.
- Multiple coordination methods exist to manage a multi-jurisdictional incident. The Incident Management System outlines the following methods (best practices, pitfalls, and policy restrictions will be discussed for each):

- Unified Command

Under unified command agencies work together through their designated incident commanders at a single incident command post to establish common objectives and issue a single Incident Action Plan

If unified command is used it is important that the UC be represented by an individual Representative (IC) of the group. The result of a different arrangement could be the undesirable structure of multiple ICs with their own resources working on the same incident.

## **Response to Wildland Fire**

The closest forces should be dispatched without regard to jurisdiction, per the interagency mutual aid provision of this plan. The jurisdictional agency should assume responsibility for management at the earliest possible time, or as otherwise agreed. Agencies taking independent action within another agency's jurisdiction should notify that agency as soon as possible.

The Incident Command System (ICS) will be used on all wildfires in Ouray County. All requests by Ouray County agencies for additional resources and assistance beyond initial attack shall be through Montrose Regional Communications Center. Requests for assistance beyond the capabilities of Ouray County shall be made through MTC.

Requests by federal agencies for assistance from Ouray County agencies shall also be made through MTC to Montrose Regional Communications Center. If the fire is on or threatening state or private land, and is expected to exceed the control capabilities of the county, the DFPC Regional BC will be notified.

An analysis of an incident needs to be conducted at a level commensurate with the complexity of the incident. The jurisdictional agency(s) will be responsible for conducting this post-incident analysis. Local agencies/entities that were not directly involved in the incident but could potentially benefit from participating will be invited to attend.

### **Special Management Considerations**

- While Gunnison Sage Grouse protection and habitat enhancement is a high priority for the Department of Interior, Bureau of Land Management fire management program, firefighter and public safety is the first priority on every fire and takes precedence over natural resource protection. Local agency administrators and resource advisors will convey resource protection priorities to incident commanders. Incident Commanders will then develop and establish incident objectives, strategies, and operational tactics that ensure firefighter and public safety. Fire suppression strategies and tactics used on an incident will comply with Resource Management Plan (RMP) and Fire Management Plan (FMP) direction, as well as current policy.

When an unplanned ignition occur in Gunnison Sage Grouse habitat on BLM land, the BLM will be immediately notified so the Fish and Wildlife Service (FWS) can become engaged and emergency consultation can take place when appropriate.

- Use of mechanized equipment in special designation areas and heavy equipment on federal lands, requires approval of a representative of the jurisdictional agency.

### **Personnel responding to incidents on BLM Lands must meet the following requirements;**

- Be 18 years of age or older;
- have and use required personal protective equipment (PPE) found in chapter 7 of the Interagency Standards for Fire and Fire Aviation Operations (Red Book); and
- attended basic wildland fire annual refresher training, that covers each of the following topic areas,
  - Entrapment avoidance;
  - current issues;
  - Fire Shelter deployment;
  - Other hazards and safety issues; and
  - NWCG Course I-100, Introduction to Incident Command System

BLM District/Unit FMOs will coordinate with local fire departments to provide qualified instructors if needed.

### **Decision Process**

A decision support system (DSS) may be utilized for fires that have the potential to be designated as an EFF fire or affect multiple jurisdictions and have the potential to go into extended attack. This important evaluation tool is used to select strategic alternatives and is especially useful to an incoming Incident Management Team. DFPC may assist with a non-EFF DSS, but has no authority to sign on non-EFF fires.

DFPC requires that a DSS be completed for all fires that receive a FEMA declaration and recommends a DSS for all EFF fires. All agencies involved in extended attack on private and state lands will provide input to the DSS. The DFPC Agency Administrator will facilitate completion and review of the DSS for these fires. When a fire is burning on or threatens to burn on multiple jurisdictions, one DSS should be prepared that considers all jurisdictions and their interests.

Federal agencies are required to utilize the Wildland Fire Decision Support System (WFDSS) for fires on their lands. If multi-jurisdictional fires occur that involve federal lands, then one WFDSS should be completed for the incident that includes input from all affected jurisdictional agencies.

### **Cooperation**

All agencies will continue to develop the objectives to be used in preventing unwanted wildland fire from crossing the jurisdictional boundaries, and how all parties will be involved in developing mitigations which would be used if a wildland fire does cross jurisdictional boundaries.

### **Communication**

The Fire Emergency Radio Network (VFIRE 21) (154.2800 MHz) will be used for interagency communication on wildland fires, unless or until alternate frequencies are agreed on.

For the purposes of conducting business authorized by the Statewide Agreement and this cooperative plan, all parties to this operating plan agree that supporting agencies may use the jurisdictional agency's radio frequencies as needed to conduct emergency communications on fires of the jurisdictional agency. No party to this operating plan will use, or authorize others to use, another agency's radio frequencies for routine daily operations.

### **Cost Efficiency**

Jurisdictions will identify cost containment objectives which may influence management strategies. Points to consider include safety, loss and benefit to land, values at risk, resources, social and political values, and existing legal statutes.

### **Delegation of Authority**

In the event of an extended attack incident, a Delegation of Authority will be provided to the Incident Commander by agencies of jurisdiction. A written Delegation of Authority will be issued to the Incident Commander no later than 12 hours after the transfer of command.

## **Preservation of Evidence**

The Jurisdictional Agency will be responsible for fire origin and cause investigation. Regardless of whether the Initial Attack Incident Commander is a representative of the Jurisdictional Agency, he or she should protect and preserve the general origin area of the fire, as well as information and evidence pertaining to the origin and cause of the wildland fire. The general origin area of the fire should be immediately identified and protected by the first Participant to arrive on the scene in order to protect evidence for the fire origin and cause investigation. Fire cause investigations are required for Federal Fires, State Fires, and any wildland fire that receives a Federal Emergency Management Agency declaration. The Participants acknowledge that an accurate origin and cause investigation and determination is essential to an effective and fair administrative, civil or criminal action. Federal policy requires Federal agencies to use a NWCG qualified Fire Investigator (INVF) and to pursue cost recovery for all human caused fires on public land.

Colorado Revised Statute 32.1.1002 states that all fire district Chiefs shall case an investigation on all fires within the district boundary.

## **STATE EMERGENCY FIRE FUND (EFF)**

A DFPC representative must be on site for an EFF evaluation. DFPC will assist the county sheriff in the analysis of the fire's actual or potential condition to exceed the county's management capability. This information will be provided to the DFPC Regional BC who will make the final decision on EFF applicability. In summary, EFF can only be implemented upon request of the County, and mutual agreement of both County and DFPC.

Ouray County Sheriff: as Fire Warden for the County (CRS 30-10-513), the Sheriff will represent the County in the request for EFF declaration to the DFPC Regional BC, and subsequent delegations and assumptions of authority (DFPC 4). The Sheriff will coordinate other County entities in his representation.

Ouray County Commissioners: are signatories to the (DFPC 4) "Assumption of Fire Control Duty" for fires the DFPC DIRECTOR approves for EFF. Delay in signing the (DFPC 4) will result in increased costs for the county. Ouray County may implement state or local emergency provisions that they determine appropriate to minimize such delays (See CRS 24-32-2109, CRS 30-11-107 and others).

All EFF fires will utilize a Unified Command. If land administered by another agency is threatened or involved, that agency will provide a member of the Unified Command.

Implementation of the EFF can be done only by the DFPC upon the recommendation of the local DFPC Representative, following a request from the County Sheriff. For this reason, it is important that the DFPC Regional BC be notified immediately of major fires on private/state lands within the county. Should the fire surpass, or threaten to surpass, the ability of county

resources to contain it, EFF implementation can occur only with a DFPC representative on scene. Before requesting EFF implementation, the County must first complete form (DFPC 1). This information will assist DFPC in completion of form (DFPC 3), which is required before request for implementation is given to the DFPC BC.

All EFF participating Counties must have identified a minimum county commitment to any incident, which has EFF potential. This is not a maximum county resource commitment, and is not the only resources the county is required to use on the incident in order to request EFF implementation. It is understood that if tactics of a given incident make some of this equipment inappropriate, alternate resources can be negotiated.

For Ouray County this minimum commitment is: 1 Dozer, 2 Water Tenders, and 1 Deputy

It is understood that the minimum county commitment may include resources owned by the county and other resources including fire department and/or contractors that are the financial obligation of the county.

DFPC will transfer command of an EFF fire back to the county when fire spread has been contained or controlled, the Agency Administrator's objectives have been met and a written plan has been prepared for the next operational period.

Following all wildfires, the jurisdictional agency will conduct a timely incident analysis at a level commensurate with the complexity of the incident. Supporting agencies shall be included in these reviews.

Qualifications for local resources utilized for local wildfires will meet local agency standards. Local wildfires, as defined herein, shall mean those wildfires within Ouray County. National Wildfire Coordination Group "Qualification Cards" are required for all line assignments on federal jurisdiction fires beyond the initial attack period.

Fire cause determination is required for EFF and FEMA incidents. Fire cause should be determined early in the incident. The suspected point of origin should be immediately flagged off and otherwise protected from contamination by initial and extended attack forces until such time as the fire cause investigation is completed. Fire cause determinations and other investigations are the responsibility of the jurisdictional agency. The County Sheriff's representative may request a NWCG qualified wildland fire investigator (INVF) assistance by placing a resource order through the interagency dispatch centers.

The responsibility for incidents, other than wildland fire emergencies, rests with the jurisdictional agency(s). Cooperation and assistance may be rendered under this plan by utilizing the Cost Reimbursements process. A mutual aid period does not apply to these incidents, unless superseded by other existing agreement(s).

Rehabilitation is not covered under EFF (County/State Emergency Fire Fund). Repair of damage caused by wildfire management may be authorized by the DFPC Agency Administrator only as part of the Incident Action Plan during the EFF period.

Various cost-share programs for wildfire land rehabilitation are available for private land including the Emergency Watershed Stabilization Program from the U.S. Department of Agriculture, National Resources Conservation Service. Reference EXHIBIT 4.

## **USE AND REIMBURSEMENT OF INTERAGENCY FIRE RESOURCES**

### **Cost Share Agreement (Cost Share Methodologies)**

Cost sharing agreements should not dictate the management of the fire.

Written cost share agreements should be prepared when a wildfire burns across or threatens jurisdictional boundaries, and/or exceeds the mutual aid period. The intent is to appropriately distribute the financial burden based on a method agreed upon by a representative from each affected jurisdiction. A cost share agreement should be negotiated as soon as practical.

Just as the individual circumstances for each wildfire should drive the decisions about response, the same circumstances should be the basis for the development of the cost share agreement. Cost Share Agreements should be based on the land management and incident objectives as well as ecological, social, and legal consequences, the circumstances under which a fire occurs, the cause of the fire and the likely consequences to firefighter and public safety and welfare, natural and cultural resources, and values to be protected.

DFPC- When a wildfire is accepted by the State, a cost share agreement may be negotiated between DFPC and affected jurisdictional agencies.

Federal Agencies- Federal agencies agree not to bill one another.

### **Training**

Standard approved fire training courses are provided periodically by DFPC, USFS, BLM, NPS, DHSEM, and other agencies. As these courses are scheduled, all cooperators will be informed and invited to participate. The Training Committee is designed to help get training to all participants in the six counties of the Montrose Interagency Dispatch Center, by doing a yearly analysis and then holding the needed classes in a location that benefits the majority of all the participants. Individual training needs as well as agency prioritization will be considered and coordinated with the local zone training committee. DFPC will attempt to provide specific

training opportunities for fire district personnel and other private organizations as requested, and as time allows.

## **Communication Systems**

Federal Agencies operate on VHF frequencies.

Cooperators generally operate day to day on both VHF and 800 MHz, but agree under this plan to utilize VFIRE 21 VHF for initial and extended attack of wildfires.

See Frequency lists in EXHIBIT 5.

## **Fire Weather Systems**

To get updated fire weather visit: <http://www.crh.noaa.gov/gjt/?n=firewx>

## **Aviation Operations**

All aircraft should be ordered through or coordinated with Montrose Interagency Dispatch Center.

When a combination of factors or events, as agreed to by the Sheriff and DFPC, creates a situation that warrants pre-positioning of DFPC aviation resources in or near Ouray County, the Sheriff should request through the DFPC Regional BC. Factors may include, but are not limited to, multiple starts within a 24-hour period, high occurrence of dry lightning, persistent Red Flag Warnings, or the unavailability of other air resources. DFPC resources may be pre-positioned at Grand Junction, Montrose, or Gunnison Airports. DFPC will notify participants to this plan when state resources are pre-positioned at any of these airports. The request procedure for aviation resources is the same for all other aircraft through Montrose Interagency Dispatch Center.

The Wildfire Emergency Response Fund (WERF) is intended to reimburse the local/county non-federal agency for the first air resource per the WERF guidelines (see attached EXHIBIT 6). WERF was created to provide funding or reimbursement for the first aerial tanker flight or first hour rotor time for a helicopter when ordered at the request of any county sheriff, municipal fire department, or fire protection district. The WERF only applies to initial attack of state/private land fires.

After the first air tanker load, subsequent loads will be at jurisdictional agency cost, and only upon authorization by the sheriff, fire chiefs, or their representative. The fund does not cover lead planes or aerial observer aircraft. This fund does not pay costs of additional personnel associated with the helicopter. Any aircraft use or orders beyond the scope of WERF is entirely the responsibility of the requesting agency / individual. Additional details are found in the Wildfire Emergency Response Fund (WERF) Operating Procedures.

The County Sheriff or County Fire Protection District Fire Chief orders aircraft through Montrose Interagency Dispatch Center. The requesting unit must provide to Montrose Interagency Dispatch Center the Incident Name, General Location, Coordinates (Latitude / Longitude preferred), Ground Contact and Radio Frequency, and a brief report of any aircraft in the area

and any known hazards to aircraft. The ordering agency is ultimately responsible for notifying DFPC of a WERF request to ensure funds are currently available. Montrose Interagency Dispatch Center is willing to pass this notification on for the ordering agency, if so desired.

## **Billing Procedures**

Local agencies do not have authority to obligate federal agencies to pay for expenses incurred in fire management. Similarly, federal agencies do not have authority to obligate state or counties to pay for any federal expense incurred in fire management (even when on private and state lands) without an agreement in place. The rule “if you order it, you pay for it” generally applies.

When a fire is accepted by the State as an EFF incident, the Cost Share Principles agreed to by State and federal agencies will apply.

For non-state or non- (EFF) fires, it is up to the county to negotiate cost sharing on federal, state and private land fires. It is acceptable (and frequent) for each party to agree to pay for their own resources. DFPC is available to assist with this process, if requested.

All costs, beyond the mutual aid period and documented through the resource order process shall be considered reimbursable. When a wildfire occurs on lands of more than one agency and costs are incurred in addition to the initial attack, one of the following options may be used to determine reimbursable costs to the agencies involved:

- a. Each agency assumes its own costs as expended by it in the fire control effort.
- b. Division of fire costs based upon ownership and acreage percentages.
- c. Each agency agrees to a portion of the costs.

Billing between federal and county agencies will be submitted through DFPC. Cooperative (CM-2) fire engines are considered state resources. Reimbursement for these engines shall be made directly to the State.

All DFPC cooperators subject to DFPC reimbursement will have invoices sent to DFPC State Fire Division Office within 30 days after incident resources are released. The DFPC Fire Division will process payment as soon as possible after receiving the invoice. Invoices are required to have proper documentation before the process for payment can be completed.

Equipment use rates are documented in Cooperator Resource Rate Forms (CRRF) for local resources.



## **Cost Recovery**

In the event that cost recovery is pursued on a trespass fire (regardless of ownership), all costs from the time of initial report of the fire (including mutual aid) may be pursued. Federal policy requires Federal agencies to pursue cost recovery for all human caused fires on public land.

# **GENERAL PROVISIONS**

Program review will be held at the annual fire operating plan meeting in the spring or as needed.

## **Personnel Policy**

The primary purpose of this operating plan is to ensure prompt response to wildland fires. Any interagency dispute arising from these procedures will be resolved on site by the Unified Command or by the jurisdictional agency administrators. When necessary, following the conclusion of the fire incident, a panel of agency representatives other than the participants in the incident will review and resolve the dispute.

## **Modification**

Mid-year changes are to be avoided; however, if an agency becomes unable to uphold commitments, it should notify all parties to this plan.

## **Annual Review**

This AOP must be reviewed annually. If no changes are made, a statement letter with signatures of all parties to this AOP will be distributed.

## **Duration of Agreement**

Unless terminated sooner as provided herein, this AOP shall remain in full force and effect from April 1, 2019 to March 31, 2020. This AOP may be terminated at any time by mutual and written agreement of the Participants.

## **Previous Agreements Superseded**

Once signed this plan will supersede the 2018 Ouray County AOP sign on or before May 1, 2018

# EXHIBITS

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## EXHIBIT 1

### DIRECTORY OF PERSONNEL AND/OR AUTHORIZED AGENCY REPRESENTATIVES

<b>Ouray County Sheriff's Office</b> P.O. Box 585 541 4 <sup>th</sup> St. Ouray, Colorado 81427			Telephone (970) 325-7272, 325-7273 FAX (970) 325-0225 (SO) 24-Hour Telephone (970) 252-4020		
NAME/TITLE	CITY/STATE	AREA CODE	OFFICE COMM.	CELL PHONE/ PAGER	HOME
Lance FitzGerald County Sheriff	Ouray, CO	970	325-7272	708-7171	
Richard Herman Undersheriff	Ouray, CO	970	325-7272	318-6919	
Glenn Boyd Emergency Manager	Ouray, CO	970	325-7273	318-0854	

<b>Ouray County Road Department</b> P.O. Box 456 Ridgway, Colorado 81432			Telephone (970) 626-5391 FAX (970) 626-4439 Email: <a href="mailto:scalkins@ouraycountyco.gov">scalkins@ouraycountyco.gov</a>		
NAME/TITLE	CITY/STATE	AREA CODE	OFFICE COMM.	CELL PHONE/ PAGER	HOME
Steven Calkins Road Superintendent	Ridgway, CO	970	626-5391	318-0092	
Chad Rilling Assistant Superintendent	Ridgway, CO	970	626-5391	318-2838	
RICH WILLIAMS Construction Inspector/ Equipment Operator	Ridgway, CO	970	626-5391	318-0091 (C)	

<b>Montrose Fire Protection District</b> 441 South Uncompahgre Avenue Montrose, CO 81401			Telephone (970) 249-9181(Lindsay Wiley-admin.) FAX (970) 249-4212 24-Hour Telephone (970) 249-9110 E-mail: <a href="mailto:tad.rowan@montrosefire.org">tad.rowan@montrosefire.org</a> <a href="mailto:john.rogers@montrosefire.org">john.rogers@montrosefire.org</a>		
NAME/TITLE	CITY/STATE	AREA CODE	OFFICE COMM.	CELL PHONE/ PAGER	HOME
Tad Rowan Chief	Montrose, CO	970	249-9181	275-5260 (C)	----
Jon Cryer Battalion Chief	Montrose, CO	970	249-9181	209-0055	
Craig Willsie Battalion Chief	Montrose, CO	970	249-9181	275-6398	
John Rogers Battalion Chief	Montrose, CO	970	249-9181	209-5870	

<b>Horsefly Fire Association</b> 9325 Government Springs Road Montrose Colorado 81403			Telephone: use cell FAX (970) 240-2804 24-Hour Telephone (970) 209-5221 Email: <a href="mailto:haynesexcavation@bresnan.net">haynesexcavation@bresnan.net</a>		
NAME/TITLE	CITY/STATE	AREA CODE	OFFICE COMM.	CELL PHONE/ PAGER	HOME
Larry Behrends Chief				970-596-2896	

<b>Ridgway Fire Protection District</b> 251 Railroad Street P.O. Box 2 Ridgway, Colorado 81432			Telephone (970) 626-5311 [firehouse] FAX (970) 626-3962 [town hall] 24-Hour Telephone (970) 252-4020 Email: <a href="mailto:dbartashius@msn.com">dbartashius@msn.com</a> (chief)		
NAME/TITLE	CITY/STATE	AREA CODE	OFFICE COMM.	CELL PHONE/ PAGER	HOME
Chris Miller Chief	Ridgway, CO	970		318-0538 (C)	
Assistant Chief	Ridgway, CO	970			

<b>Log Hill Mesa Fire Protection District</b> PO Box 747 Montrose, Colorado 81402			24-Hour Telephone (970) 252-4020 FAX (970) TBD Email: <a href="mailto:jsr5@hotmail.com">jsr5@hotmail.com</a>		
NAME/TITLE	CITY/STATE	AREA CODE	OFFICE COMM.	CELL PHONE/ PAGER	HOME
JOHN ROGERS Fire Chief	Montrose, CO	970	249-9181 MFPD		209-5870 cell
TOM AUSTIN Assistant Chief	Log Hill Mesa CO	970	N/A	901-8282 (C)	626-3208
Bryan Dowdy Assistant Chief				970.275.4422	

<b>Ouray Volunteer Fire Department</b> P.O. Box 468 Ouray, Colorado 81427			Telephone (970) 325-7069 FAX (970) 325-7212 24-Hour Telephone (970) 252-4020 Email: <a href="mailto:ovfd@ci.ouray.co.us">ovfd@ci.ouray.co.us</a>		
NAME/TITLE	CITY/STATE	AREA CODE	OFFICE COMM.	CELL PHONE/ PAGER	HOME
Trevor Latta Chief	Ouray, CO	970	Use cell	497-0797 dept cell	
JOHN FEDEL Assistant Chief	Ouray, CO	970	Timber Ridge 325-4204	NONE	325-4824
PATRICK RON DINELLI Battalion Chief	Ouray, CO	970	Use cell	596-5605	325-7211

<b>Ridgway State Park</b> 28555 Highway 550 Ridgway, Colorado 81432			Telephone (970) 626-5822 X10 FAX (970) 626-5825 24-Hour Telephone (970) 249-4392 Email: <a href="mailto:kirstin.copeland@state.co.us">kirstin.copeland@state.co.us</a>		
<b>NAME/TITLE</b>	<b>CITY/STATE</b>	<b>AREA CODE</b>	<b>OFFICE COMM.</b>	<b>CELL PHONE/ PAGER</b>	<b>HOME</b>
KIRSTIN COPELAND Park Manager	Ridgway, CO	970	626-5822 X12	209-9307 cell	252-9245
JOHNATHON FREEBORN Senior Ranger	Ridgway, CO	970	626-5822 X17	904-0311	904-0311
TOM JAY Park Resource Technician	Ridgway, CO	970	626-5822 X24	N/A	N/A

<b>Division of Fire Prevention and Control</b>					
Address: 2065 East Main. Montrose, CO 81401					
<b>Name/Title</b>	<b>City, State</b>	<b>Office Number</b>	<b>Cell Number</b>	<b>Email</b>	
Steve Ellis	Montrose		(970)596-0685	Stevend.ellis@state.co.us	
Luke Odom	Montrose		(970)773-4259	Luke.odom@state.co.us	

<b>COLORADO STATE PATROL</b> DENVER	303-279-8855
MONTROSE CSP Address: 2420 North Townsend Avenue, Montrose, CO 81401	Phone:(970) 249-4392
ALAMOSA CSP Address: 3110 1st Street, Alamosa, CO 81101	Phone:(719) 589-5807

<b>Division of Homeland Security and Emergency Management</b>			<b>24 Hour: 303-279-8855</b>	
Drew Petersen Field Manager	Crested Butte, CO	<b>970</b>	<b>633-0201</b>	<b>Drew.petersen@state.co.us</b>

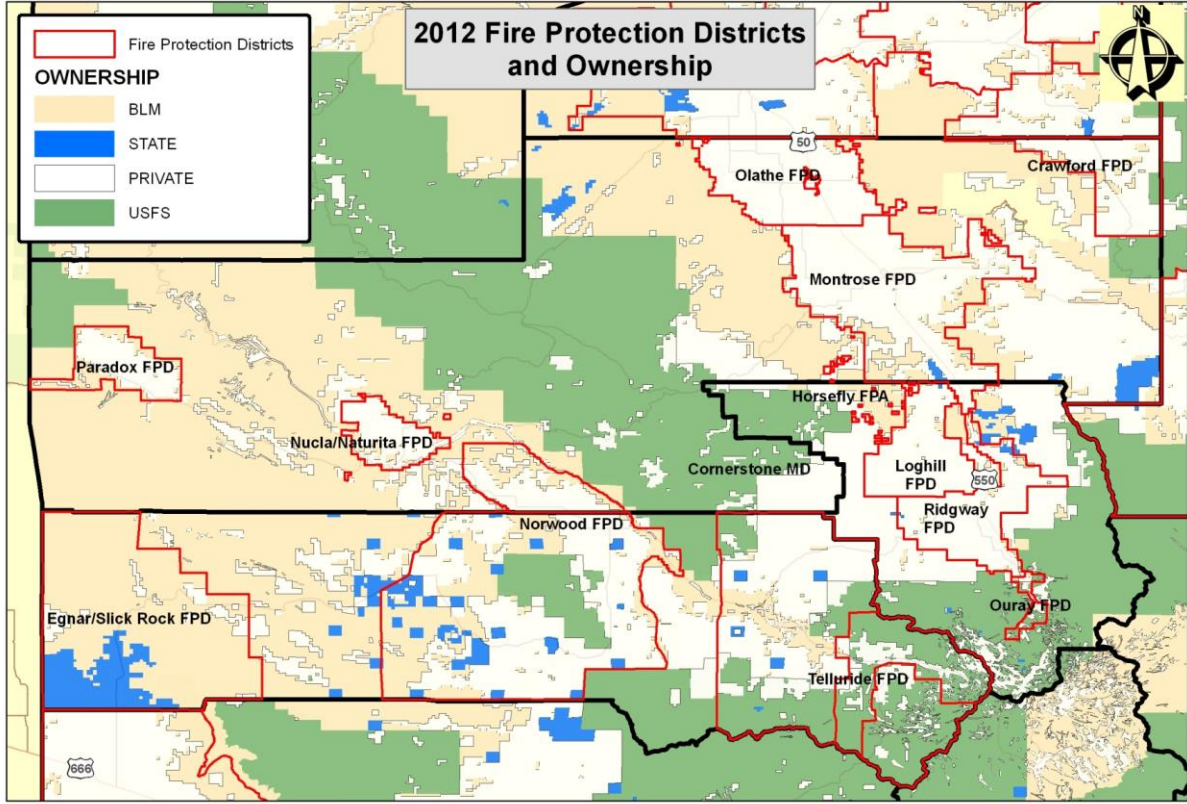
<b>MONTROSE INTERAGENCY DISPATCH CENTER</b>			FIRE TELEPHONE NUMBERS Commercial: 970-249-1010		
ADDRESS 2465 South Townsend Avenue Montrose, CO 81401			NIGHT OR 24 HOUR TELEPHONE NUMBERS Commercial: 970-249-1010 After Hours: Phone rings to answering service		
FACSIMILE NUMBER 970-240-5369			ELECTRONIC ADDRESS Email: <a href="mailto:comtc@firenet.gov">comtc@firenet.gov</a>		
<b>BLM - SOUTHWEST COLORADO FIRE AND AVIATION MANAGEMENT UNIT</b>			FIRE TELEPHONE NUMBERS Commercial: 970-249-1010		
ADDRESS 2465 South Townsend Avenue Montrose, CO 81401			NIGHT OR 24 HOUR TELEPHONE NUMBERS Commercial: 970-249-1010		
FACSIMILE NUMBER 970-240-5369					
<b>Name/Title</b>	<b>City, State</b>	<b>Office Number</b>	<b>Cell Number</b>	<b>Email</b>	
BRANDON LEWIS BLM FMO	Montrose	240-5351	596-5359		
RANDY CHAPPELL BLM Deputy FMO	Montrose	240-5373	596-6343		

<b>Grand Mesa, Uncompahgre, Gunnison N.F.</b>			FIRE TELEPHONE NUMBERS Commercial: 970-249-1010	
ADDRESS 2465 South Townsend Avenue Montrose, CO 81401			NIGHT OR 24 HOUR TELEPHONE NUMBERS Commercial: 970-249-1010	
FACSIMILE NUMBER 970-240-5369			EMAIL	
<b>Name/Title</b>	<b>City, State</b>	<b>Office Number</b>	<b>Cell Number</b>	<b>Email</b>
CORDELL TAYLOR Forest Fire Management Officer	Montrose	874-6643	<a href="tel:970-615-0922">970-615-0922</a>	
COREY ROBINSON West Zone FMO (Norwood/Delta)	Montrose	327-4261	901-6691	
KURT THOMPSON North Zone FMO	GJ	263-5824	644-1306	
PAT MEDINA East Zone FMO (Gunnison)	Gunnison	642-4407	596-1086	

## **EXHIBIT 2**

# **FIRE PROTECTION DISTRICT/OWNERSHIP MAPS**

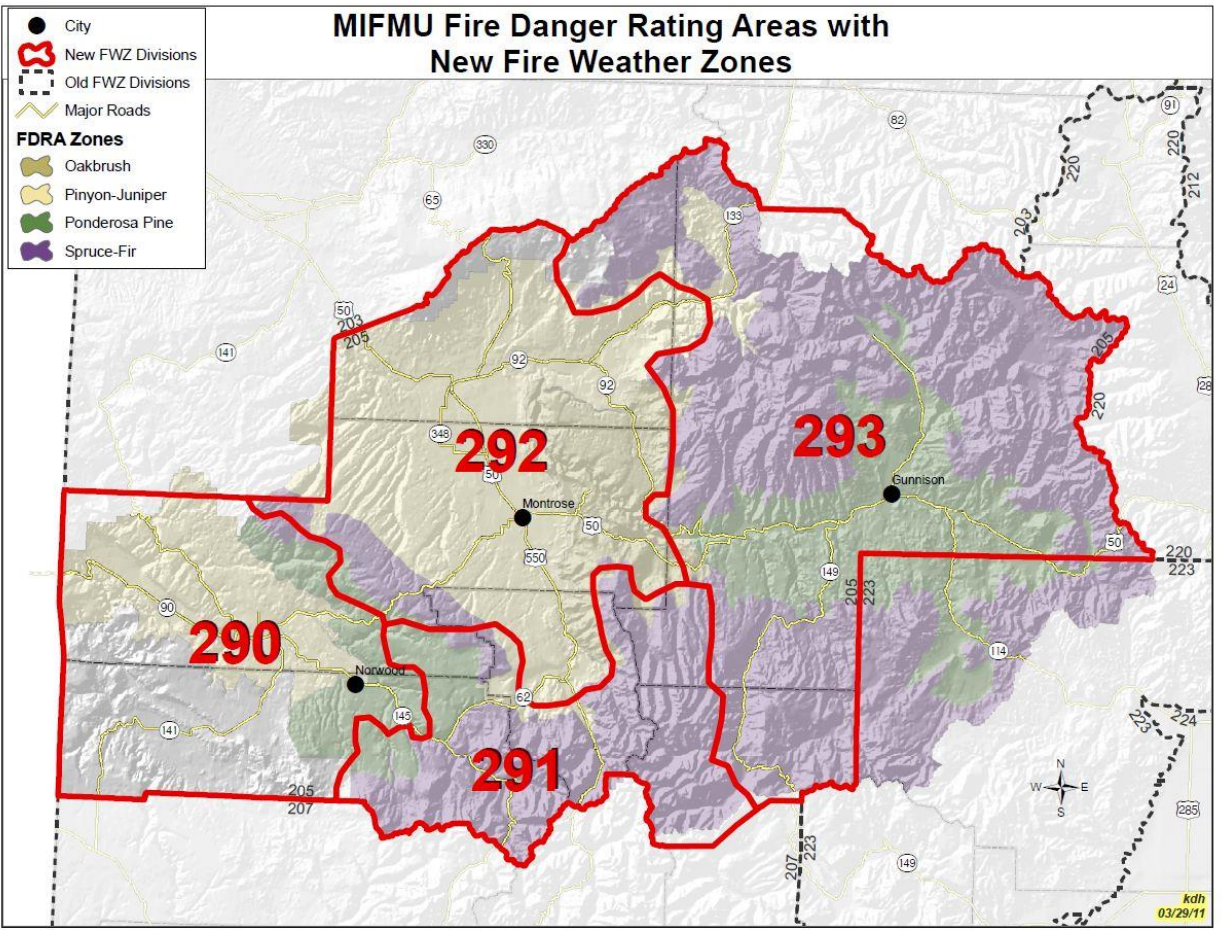




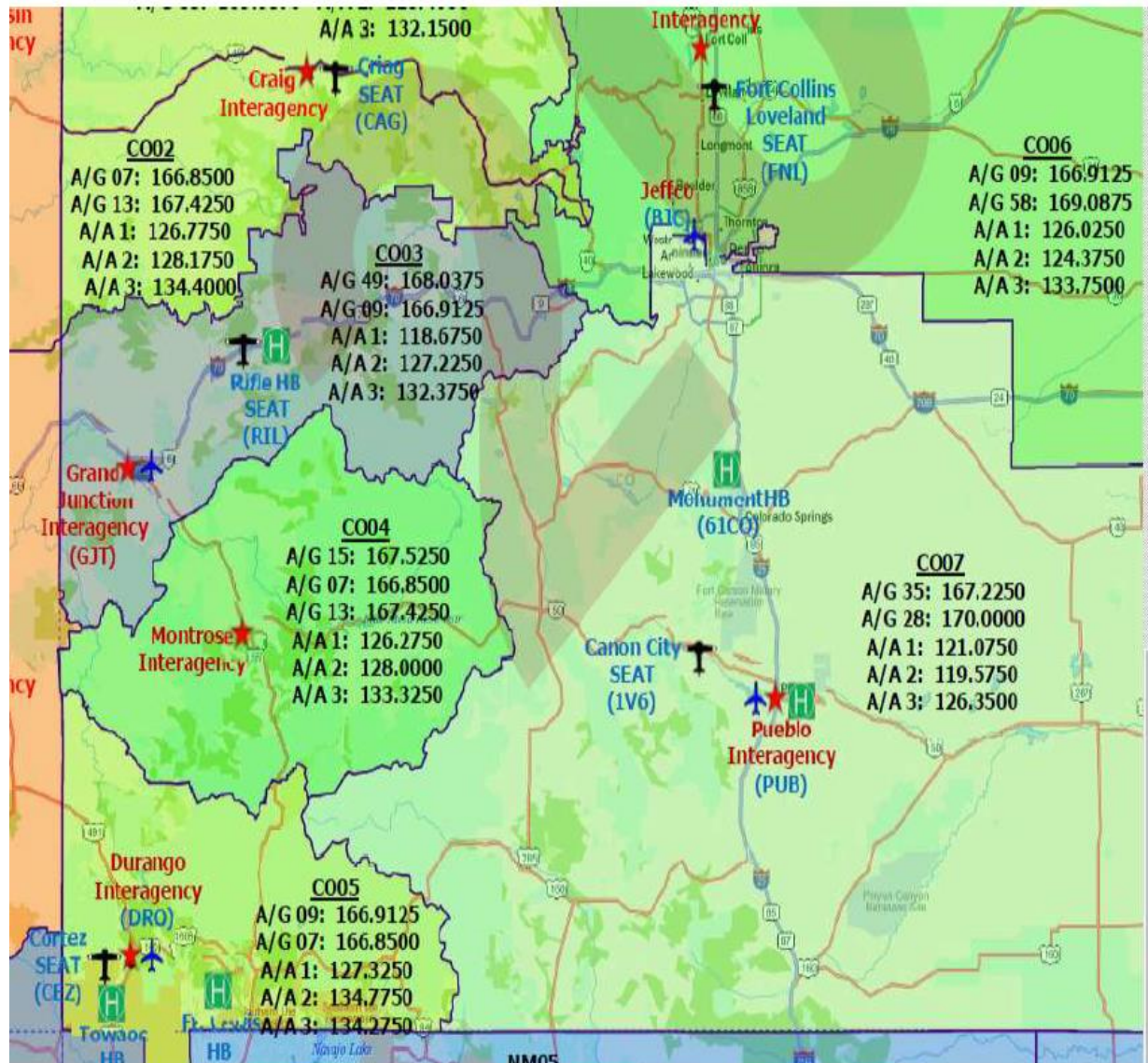
Map updated 2/14/12  
 CSFS Montrose District  
 Jodi Rist, District Forester

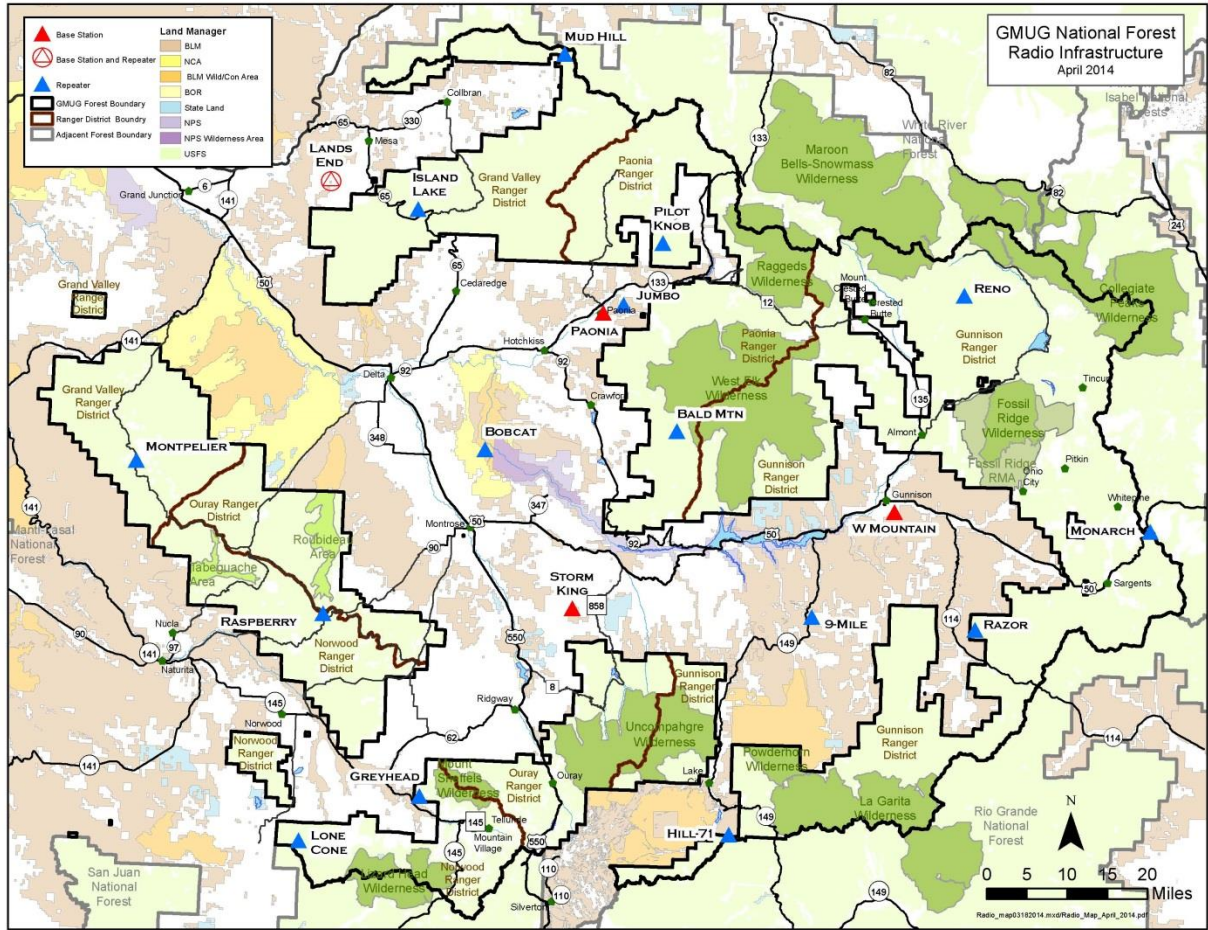


DOLA website info  
<http://www.dola.state.co.us>









# EXHIBIT 3

## **FIRE RESTRICTIONS and CLOSURES**

### **Purpose**

The purpose of Fire Restrictions and Closures (Restrictions/Closures) is to reduce the risk of human-caused fires during unusually high fire danger; and for the protection of human life and property. Restrictions/Closures should be considered when weather factors and fuel conditions indicate an increased risk to public safety and fire fighting personnel. Restrictions/Closures should be planned for the long-term danger and not change at short-term fluctuations in risk, weather, and fire danger.

This guidance should provide fire management staff the tools to develop, implement, and legally enforce Restrictions/Closures. Further, by providing consistency and developing clear messages for the public and partners, this guidance will encourage public acceptance and compliance.

Restrictions/Closures impose many limitations on the general public, and therefore should be implemented only after all other prevention measures have been taken. These measures may include, but are not limited to: increasing the number of prevention signs, public contacts, media campaigns, and other proactive public education efforts. Restrictions/Closures should not be considered the equivalent of a fire prevention program.

### **Authority**

Restrictions/Closures are enacted on federal, state, county, and private lands under federal, state, and local laws. Agency Administrators issue appropriate documents and are responsible for enforcing Restrictions/Closures for those lands on which they have jurisdiction. The authorities related to Restrictions/Closures on federally-managed lands are referenced below:

#### Bureau of Land Management

- 43 U.S.C. §1701, et seq. (Federal Land Policy and Management Act of 1976)
- 43 CFR, Part 9210 (Fire Management)
- 43 CFR, Part 9212 (Wildfire Prevention)

#### US Forest Service

- 16 U.S.C. §551; 18 U.S.C. §3559; and 18 U.S.C. §3571 (Violations and Penalties)
- 36 CFR Part 220.6 (Categorical Exclusions)
- 36 CFR Part 261.50 (Orders)



- 36 CFR Part 261.51 (Posting)
- 36 CFR Part 261.52 (Fire)

The complete references shown above may be found at:

United States Code (U.S.C.): <http://uscode.house.gov/>

Code of Federal Regulations (CFR): <http://www.gpoaccess.gov/cfr/>

### Coordination

Restrictions/Closures procedures should be uniform across administrative and geographic boundaries. Agency Administrators and fire management staff are responsible for coordinating with other agencies including, but not limited to, other federal land management agencies, Tribal agencies, Congressional members, Colorado Division of Fire Prevention and Control, Colorado State Parks, county officials (commissioners, sheriffs, emergency managers), permittees, and local fire departments. The scope of the Restrictions/Closures will dictate how much coordination is necessary.

Annually, the parties to the Annual Operating Plan shall review and validate the Restrictions/Closures procedures and monitor the previous year's use of the procedures to ensure Restrictions/Closures are implemented consistently. The conditions identified in the Fire Restriction/Closure Evaluation Guidelines should be agreed upon by all fire management agencies in the county before the onset of fire season and will become part of the Annual Operating Plan.

Restrictions/Closures will be implemented and rescinded by fire restriction area and all agencies within the area will coordinate uniform levels and timing of restrictions, verifying that the trigger points have been reached.

### Initiating a Restriction/Closure

When the conditions identified in the Fire Restriction/Closure Evaluation Guidelines approach critical levels for an area, fire management staff will make Restriction/Closure recommendations to Agency Administrators. Agency Administrators and fire management staff will be responsible for monitoring these conditions.

1. When conditions are identified as critical, fire management staff within the proposed fire restriction area will confer, review conditions, recommend that a fire restriction is necessary for their area of responsibility, and include a start date.
2. Before the respective agency(s) applies a restriction, they will coordinate with the other agencies in developing a schedule and plan for public notification.

3. The Montrose Interagency Dispatch Center will be notified of Restrictions/Closures.
4. Law enforcement personnel for each agency should have an opportunity to review the Restriction/Closure Orders to assure they are enforceable prior to public release. Law enforcement and fire personnel should jointly develop a plan to enforce the restrictions.
5. Each respective agency will be responsible for assuring their Restriction/Closure Orders are properly completed and signed by the Officer with authority.
6. The Public Information Officer with responsibility for that fire restriction area will organize and initiate the media notification process.
7. Each agency will disseminate Restriction/Closure notification through web pages, signage, and media outreach according to agency guidelines. Additional patrols may be initiated in high risk-high value areas.
8. Each agency will inform agency personnel of the restrictions being enacted and discuss changes in their daily routines to compensate for the increased fire danger. Those responsible for public contact will be provided with a copy of the Restriction/Closure Order and appropriate map. Each agency will also ensure that all employees understand what each Restriction/Closure means.

County Sheriffs' that have emergency needs to bypass the Fire Restrictions and Closures procedures will immediately notify Montrose Interagency Dispatch Center of the status of Restrictions/Closures occurring in their jurisdictions.

### Rescinding a Restriction/Closure

When a level of restriction is no longer needed, the Restriction/Closure may go to a lower stage by implementing a new, supplemental or modified Order; or the Restriction/Closure may be rescinded.

Removal of Restrictions/Closures will follow the same procedures outlined above. Agency Administrators and fire management staff must agree that the Restrictions/Closures should be removed in the fire restriction area.

### Fire Restriction/Closure Evaluation Guidelines

When weather factors or fire suppression impacts become a concern, the following guidelines will be used to determine if Restrictions/Closures should be considered:

Montrose Interagency Dispatch Response Area at Preparedness Level 4 or Above, and:

Local fire activity is impacting local agencies' suppression resources; making adequate initial attack difficult.

Local area is receiving a high occurrence of human-caused fires, or the human caused risk is predicted to increase.

Adverse fire weather conditions and risks are predicted to continue.

Implementation of existing fire restrictions is not adequately reducing human-caused fires.

Consider initiating STAGE I Fire Restriction if:

- Preparedness Level is 4, and
- one of the above conditions is met.

Consider initiating STAGE II Fire Restriction if:

- STAGE I Fire Restriction has been in effect,
- Preparedness Level is 4 or above, and
- all of the above conditions are met.

Consider initiating STAGE III Closure if:

- STAGE II Fire Restriction has been in effect, and
- Preparedness Level is 5, and
- all of the above conditions are met.

Closures are extremely rare events, and will only be implemented in extraordinary situations, after significant interagency coordination, and when there is a very high risk to human life or property and the ability to manage those risks using Stage I or Stage II Fire Restrictions is no longer viable. Closures should be implemented only in situations where the public's safety cannot be guaranteed.

### Prohibited Acts Under Stage I and II Fire Restrictions, and Stage III Closure

There will be three stages to fire restrictions – Stage I and II Fire Restrictions and Stage III Closures. Each agency must write their own Fire Prevention Order which authorizes the Restrictions/Closures within their jurisdiction. Each is responsible for using their agency's format and having their law enforcement personnel review the Order to assure it is legally correct and enforceable.

To reduce confusion and standardize the Restrictions/Closures, the following language will be used in all Fire Prevention Orders:

STAGE I Fire Restrictions



The following acts are prohibited:

- Building, maintaining, attending, or using a fire, campfire or stove fire except within a permanent constructed fire grate in a developed campground, developed recreation site, or improved site.
- Smoking, except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.

#### STAGE II Fire Restrictions

In addition to the prohibited acts of Stage I Fire Restrictions, the following acts are prohibited:

- Building, maintaining, attending, or using a fire, campfire or stove fire.
- Smoking, except within an enclosed vehicle or building.
- Operating a chainsaw or other equipment powered by an internal combustion engine.
- Welding, operating a torch with open flame, or any activities which generate flame or flammable material.
- Use of explosives.

#### STAGE III Closure

Stage III is a closure prohibiting entry to the affected area. The area is closed to all entry other than the following:

- Persons with a written fire entry and activity permit.
- Any federal, state, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.
- Resident owners and lessees of land within the closed area.

Closures are extremely rare events, and will only be implemented in extraordinary situations, after significant interagency coordination, and when there is a very high risk to human life or property and the ability to manage those risks using Stage I or Stage II Fire Restrictions is no longer viable. Closures should be implemented only in situations where the public's safety cannot be guaranteed.

The following acts are always prohibited on federally managed lands:

- The use of fireworks and other incendiary devices on public lands in Colorado
- Leaving fires unattended or unextinguished

#### Exemptions

Exemption from prohibited acts may be granted to specific entities during a Restriction/Closure under the authority of 43 CFR 9212.2 and 36 CFR 236.50 (Orders), and 43 CFR 9212.3 (Permits).

Exemptions to a Fire Prevention Order will be included in the Order and identify those persons who, without a written permit, are exempt from the closure or restrictions (43 CFR 9212.2 / 36

CFR 236.50). Further, 43 CFR 9212.3 states that Permits may be issued to enter and use public lands designated in Fire Prevention Orders when the authorized officer determines that the permitted activities will not conflict with the purpose of the Order. Each permit shall specify:

- The public lands, roads, trails or waterways where entry or use is permitted;
- The person(s) to whom the permit applies;
- Activities that are permitted in the closed area;
- Fire prevention requirements with which the permittee shall comply; and
- An expiration date.

An authorized officer may cancel a Permit at any time.

Exemptions from prohibited acts may also be included in the Fire Prevention Orders under the discretion of the Agency Administrator. Typically, exemptions included in an Order specify an allowable use of a prohibited act. Examples include:

The following acts are prohibited until further notice:

- Building, maintaining, attending, or using a fire, campfire or stove fire.  
EXEMPTION: Use of a heating or cooking device fueled solely by liquid fuels that can be turned on and off is allowed.
- Operating a chainsaw or other equipment powered by an internal combustion engine.  
EXEMPTION: Operating a chainsaw or other equipment powered by an internal combustion engine between the hours of 5:00 am and 11:00 am is allowed.

An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.

### Restriction/Closure Boundaries

Restrictions/Closures should be implemented on the smallest geographic scale to affect the fewest number of people.

For ease of implementation and interagency coordination, an Order should be designed to cover an easily identifiable, logical geographic area. This may be a county, district or field office boundary, a watershed, or an area bounded by specified roads or topographic features. All Orders should be accompanied by a high-quality map clearly delineating the boundaries of the Restrictions/Closures in such a manner that the public can readily locate those boundaries on the ground. As enforcement is a key component of every Order, the boundaries must be designed to facilitate compliance.

Various stages might be in effect in more than one geographic area across the landscape. However, before making the decision to implement more than one Restriction/Closure at a time on the landscape, there needs to be careful consideration of the potential for confusion and for potential effects on the public.

## Communication

The planning process for Restrictions/Closures will include a public awareness campaign, keeping the media and public informed of the possibility of Restrictions/Closures. All press releases, description of Restrictions/Closures, and other necessary agency documents will be available in template format before the start of the fire season. Public Information Officers will then prepare a media notification plan to inform the public.

Development and issuance of news releases will be coordinated with all agencies for any implementation or rescission of Restrictions/Closures. Public information about Restrictions/Closures must be broad-based, clear, and coordinated.

Each agency will inform it's personnel of the Restrictions/Closures being enacted and discuss changes in their daily routine to compensate for the increased fire danger. Those responsible for public contact will be provided with a copy of the Order and appropriate map.

Public Information Officers for each agency will be responsible for notifying the public ways in which they can find the status of Restrictions/Closures for any area in Colorado. The intent is to better inform the public of Restrictions/Closures throughout Colorado when they may be planning activities at areas away from their homes.

## Definitions

The following definitions should be used as part of, or referenced to, the Special Orders or laws that initiate and authorize a Stage I or Stage II Fire Restriction and a Stage III Closure:

**Campfire:** A fire, not within any building, mobile home or living accommodation mounted on a vehicle which is used for cooking, branding, personal warmth, lighting, ceremonial or aesthetic purposes. Campfires are open fires, usually built on the ground from native fuels or charcoal, including charcoal grills. Campfire includes "fire".

**Chainsaw:** A saw powered by an internal combustion engine with cutting teeth linked in an endless chain.

**Closure:** The closing of an area to entry or use.

**Developed Campground:** An area that provide designated campsites, toi-lets, picnic tables, and fire rings.

**Developed Recreation Site:** An area which has been improved or developed for recreation. A developed recreation site is signed as an agency-owned campground or picnic area and identified on a map as a site developed for that purpose.

**Explosives:** Any substance or article, including a device, which is designed to function by explosion (i.e., an extremely rapid release of gas and heat) or which, by chemical reaction within itself, is able to function in a similar manner even if not designed to function by explosion. For the purposes of these restrictions, firearms are not considered an explosive.

**Fire Grate/Fire Ring:** A permanent structure, installed by the agency managing the lands, that is used for building a campfire.

**Fire Prevention Order (Order):** A legal document restricting certain prohibited acts that is issued in times of increased fire danger and human-caused fire activity. Orders specify actions that are prohibited in specific areas under the jurisdiction of the agency with authority over the lands identified in the Order. Fire Prevention Orders also specify the duration of the restrictions and identify the legal references granting authority to restrict the mentioned acts.

**Fire Restriction Area:** The area that is covered by a Fire Restriction/Closure Order. Restrictions/Closures enacted cover the area defined by the Order as defined in the Order.

**Fire:** The burning of timber, trees, slash, brush, tundra, grass or other flammable material such as, but not limited to, petroleum products, trash, rubbish, lumber, paper, cloth or agricultural refuse occurring out of doors and includes campfires.

**Improved Site:** An area that has been cleared and has an established fire barrier that restricts fire spread, and includes improvements such as picnic tables and/or toilets.

**Permit:** A written document issued by an authorized agency representative to specifically authorize an otherwise prohibited act.

**Restriction:** A limitation on an activity or use.

**Stove Fire:** A campfire built inside an enclosed stove, grill or portable stove; including a space heating device.

**Torch:** Any of various lamp-like devices that produce a hot flame and are used for soldering, burning off paint, etc.

Welding: To unite or fuse (as pieces of metal) by hammering, compressing, or the like, especially after rendering soft by heat, and sometimes with the addition of fusible material like or unlike the pieces to be united.

## **EXHIBIT 4**

### **GUIDELINES FOR EFF**

The purpose of the Intergovernmental Agreement for Participation in the Colorado Emergency Fire Fund (EFF) is to: establish the County's basis for participation in the Emergency Fire Fund to provide for payments from the County to the Fund; and describe the conditions under which the Emergency Fire Fund will be managed. .

#### **WILDFIRE PROTECTION**

A. As required in the Cooperative Agreement, the County and DFPC shall jointly develop, review, and sign an Annual Operating Plan (AOP) before April 1 of each year with all cooperating agencies having wildfire suppression responsibilities within the County. Failure to complete the AOP by April 1 of any year during the term of this Agreement shall result in the automatic suspension of the County from EFF participation unless the County has requested, in writing, and received approval by the DFPC BC, a 60 day extension of the April 1 date to complete the AOP, stating the specific reason(s) for the extension. The DFPC BC shall, in his or her sole discretion, approve or deny the request in writing. Once completed, the AOP shall be made a part of this agreement and attached as Attachment B.

#### **EMERGENCY FIRE FUND**

A. The Emergency Fire Fund (EFF or "the Fund") has been established through the payments provided by participating Colorado counties and other entities entering into EFF agreements with the DFPC. The EFF is maintained as an account of Colorado State University, under the fiscal management of the DFPC BC. Payments from the EFF account shall be made only in compliance with applicable laws, rules and regulations pertaining to Colorado State University funds, including, but not limited to, the State Fiscal Rules. The DFPC BC is designated as the fiscal manager of all such monies received and all interest accrued in the EFF. No upper limit shall be placed on the amount of funds in the EFF, and funds may accumulate from year to year.

B. Final decision making authority over fiscal management matters shall reside with the DFPC BC on behalf of the Counties collectively.

C. The DFPC shall make distribution of these funds only upon direction of the DFPC BC or his designee and will be subject to the "Emergencies" provisions of the State Fiscal Rules

(Rule 2-2). Disbursements shall be limited to such expenditures incurred in controlling a designated wildfire as are within the then-current, unencumbered balance of the Fund.

D. If at any time during the term of this Agreement the EFF becomes depleted, or has insufficient funds to meet the expected needs of the Fund, the DFPC BC will make every reasonable effort to obtain additional funds by requesting the Governor to make additional funds available. Should the DFPC BC be unsuccessful in efforts to obtain additional funding, fire control costs will remain the County's responsibility.

#### EFF IMPLEMENTATION

A. The County will make every effort to control fire(s) upon non-federal lands within the County with resources available within the County. In the event that the County and the DFPC mutually agree that the fire(s) threatens to spread, or has spread, beyond control capability of the firefighting resources within the County (as outlined in the County's Annual Operating Plan), the DFPC BC (or his authorized designee) and the authorized County representative shall sign a Delegation of Duty giving the DFPC BC command responsibility for the fire(s). Once command responsibility has been assumed by the DFPC, the County shall nevertheless continue to make its maximum effort to provide firefighting resources from within the County.

B. When a fire can again reasonably be managed by the County with resources available to it, command responsibility for incident management and for payment of all fire control costs will be returned by the DFPC BC to the County. No expenditures made by the County prior to assumption by the DFPC BC or after return to the County, will be eligible for payment by the EFF, without express prior approval of the DFPC BC.

#### FIRE CAUSE DETERMINATION

A. As a condition precedent to entering into this Agreement, and to eligibility for continuing participation in the EFF throughout the term hereof, the County agrees that, in the event of a human-caused fire, the Sheriff of said County shall conduct an investigation as to cause of such fire and will provide the DFPC BC a copy of the preliminary investigation report within 30 days of control of the fire, and a final report upon the conclusion of that investigation consistent with State Law. The County Sheriff shall have administrative and financial responsibility with respect to the conduct of the investigation.

#### ADDITIONAL PROVISIONS

A. Compliance with Laws, Regulations and Requirements. Each party agrees to comply with all applicable federal, state and local laws, codes, regulations, rules, and orders.

B. Assignment. Neither party shall assign or transfer any interest in this Agreement, nor delegate any of its obligations, nor assign any claims for money due or to become due to a party, without the prior written approval of the other party.

# **EXHIBIT 5**

# **INCIDENT RADIO COMMUNICATIONS PLAN**

## 2016 RADIO FREQUENCIES

Repeater Name	Radio display Name	<b>RX</b>	tone GRD	<b>TX</b>	Tone GRD
RASPBERRY	RASPBRY	170.0250	173.8	165.4500	107.2
9 MILE	9 MILE	170.4625		164.8250	167.9
BALD MT	BALD	170.4625		164.8250	136.5
BLM WORK	LD WORK	168.3500		168.3500	
BOBCAT	BOBCAT	170.0250	173.8	165.4500	146.2
FS WORK	FD WORK	164.9875		164.9875	
GRAYHEAD	GRAYHEAD	170.0250	173.8	165.4500	123.0
GUNNISON PORTABLE	GUN PORT	170.4625		164.8250	127.3
HILL 71	HILL 71	170.4625		164.8250	146.2
ISLAND LAKE	ISLAND LAKE	170.4625		164.8250	107.2
JACKSON	JACKSON	170.4625		164.8250	114.8
JUMBO	JUMBO	170.0250	173.8	165.4500	71.9
LANDSEND BASE		170.4625		164.8250	100.0
LANDSEND REPEAT		170.4625		164.8250	103.5
LONE CONE	LONECONE	170.0250	173.8	165.4500	179.9
MANTI LA SAL	MANTI	170.0250		165.4500	167.9
MONARCH	MONARCH	170.4625		164.8250	156.7
MONTPELIER	GFR MONT	170.4625		164.8250	114.8
MONTROSE PORT	MONTPORT	170.0250	173.8	165.4500	127.3
MUD HILL		170.4625		164.8250	110.9
PAONIA BASE		170.4625		164.8250	162.2
PILOT KNOB	PILOTKNB	170.4625		164.8250	131.8
RAZOR DOME	RAZOR	170.4625		164.825	192.8
RENO DIV	RENO DIV	170.4625		164.8250	151.4
STORMKING	STRMKNG	170.0250	173.8	170.0250	173.8
VFIRE21	VFIRE21	154.2800		154.2800	156.7
W MOUNTIAN	W MOUNT	170.4625		170.4625	123.0
GMUG FIRE TAC	GFIRETAC	167.5500		167.5500	
FIRE TAC 7	FIRETAC7	169.2875		169.2875	

CO04 A/G1	A/G15	167.5250		167.5250	
CO04 A/G1	A/G 13	167.4250		167.4250	
CO04 A/G1	A/G07	166.8500		166.8500	

NATIONAL FLIGHT FOLLOW

RX/TX 168.650

TX/RX TONE: 110.900



<b>INCIDENT RADIO COMMUNICATIONS PLAN</b>		1. INCIDENT NAME			2. DATE/TIME PREPARED		3. OPERATIONAL PERIOD DATE/TIME		
		<b>OURAY COUNTY SHERIFF OFFICE/FIRE DEPT. RADIO FREQUENCIES</b>			Feb 27, 2012		2012 Season		
<b>4. BASIC RADIO CHANNEL UTILIZATION</b>									
SYSTEM/CACHE	CHANNEL	FUNCTION	FREQUENCY				ASSIGNMENT	REMARKS	
National Interagency or V FIRE		Air Tactical ZONE 3 ZONE 4	A/G 49 TX/RX 168.0375N / A/G 9 TX/RX 166.9125N A/G 15 TX/RX 167.5250N / A/G 31 TX/RX 171.525N / A/G 7 166.850N (see map)				Air to Ground	* V FIRE To be used only if local cooperator cannot access the designated air-to-ground frequency.	
Ouray County Sheriff's Department		Sheriff's Logistics & County Tactical  Sheriff Tactical	<u>Vicinity</u> Repeater 1 Repeater 2 Line of Site TAC Repeater	<u>Receive</u> 155.820 155.820 158.820 158.820	<u>Transmit</u> 159.030 159.030 158.820 154.890	<u>Tone</u> 167.9/107.2 167.9 167.9 167.9	<u>Repeater Site</u> Log Hill Co. Shops Car to Car REPEATER	Incident to Ouray Communications Center  Sheriff Operations	Also V FIRE, NLEEC
Ouray Fire Department		Fire Department Tactical Ouray Fire Ops	<u>Vicinity</u> Line of Site	<u>Receive</u> 154.250	<u>Transmit</u> 154.250	<u>Tone</u> —	<u>Repeater Site</u> Car to Car		To Communications Center on 155.475 (NLEEC), also V FIRE
Ridgway Fire Protection District		Fire Department Tactical Ridgway Fire Ops	<u>Vicinity</u> Line of Site	<u>Receive</u> 155.655	<u>Transmit</u> 155.655	<u>Tone</u> —	<u>Repeater Site</u> Car to Car		Also V FIRE & County Repeaters
Log Hill Mesa Fire Protection District		Fire Department Tactical	<u>Vicinity</u> Log Hill Mesa	<u>Receive</u> 154.310	<u>Transmit</u> 158.865	<u>Tone</u> 107.2	<u>Repeater Site</u> Waterdog		Also V FIRE and County frequencies
Horsefly Fire Association		Fire Department Tactical	<u>Vicinity</u> Horsefly	<u>Receive</u> 154.160	<u>Transmit</u> 154.160	<u>Tone</u> —	<u>Repeater Site</u> Car to Car		Also V FIRE and County frequencies
Montrose Fire Protection District		Command Repeater Command Talk around Tactical Repeater Tactical Repeater	TX/RX	154.280				Dispatch / Coordination Dispatch / Coordination Fire Ground / District Ops Fire Ground Communication	Also Sheriff's Dept. Net and V FIRE Tactical channels 1 & 2 can be used as Simplex TX/RX (with same TX tones)

<b>COMMUNICATIONS RESOURCE AVAILABILITY WORKSHEET</b>					Frequency Band VHF	Description From WR TIC 2017				
Channel	Configuration	Channel Name/Trunked Radio System Talkgroup	Eligible Users	RX Freq N or W	RX Tone/NAC	TX Freq N or W	Tx Tone/NAC	Mode A, D or M	Remarks	
<b>West Region Priority Interoperability Channels - Wildland Fire</b> (It is recommended that these channels are in all radios that could be used on a wildland fire)										
	Simplex	<b>VFIRE21</b>		154.2800 N	CS	154.2800 N	156.7	A	Calling	
	Simplex	<b>VFIRE22</b>		154.2650 N	CS	154.2650 N	156.7	A	Tactical	
	Simplex	<b>GMUG FIRETAC (GFIRETAC)</b>		167.5500 N	CS	167.5500 N	CS	A	Tactical	
	Simplex	<b>Fire TAC 7</b>		169.2875 N	CS	169.2875 N	CS	A	Tactical	
<b>West Region Priority Interoperability Channels - Other Incidents</b> (It is recommended that these channels are in all radios that could be used on all other types of incidents)										
	Simplex	<b>VCALL10</b>		155.7525 N	CS	155.7525 N	156.7	A	Calling	
	Simplex	<b>VTAC11</b>		151.1375 N	CS	151.1375 N	156.7	A	Tactical	
	Simplex	<b>VTAC12</b>		154.4525 N	CS	154.4525 N	156.7	A	Tactical	
	Simplex	<b>VLAW31</b>		155.4750 N	CS	155.4750 N	156.7	A	Law Tactical	
	Simplex	<b>VLAW32</b>		155.4825 N	CS	155.4825 N	156.7	A	Law Tactical	
	Simplex	<b>VSAR16</b>		155.1600 N	CS	155.1600 N	127.3	A	SAR Tactical or Command (a.k.a Nat'l SAR / MRA1)	

## **EXHIBIT 6**

### **WERF GUIDELINES**

**Colorado Division of Fire Prevention and Control  
2019 Wildland Fire Resource Funding Guidelines**



**COLORADO**  
Division of Fire  
Prevention & Control  
Department of Public Safety

The Colorado Division of Fire Prevention and Control (DFPC) is required by State Law to administer and manage programs to assist local jurisdictions with safe and effective wildland fire response. Funding for wildland firefighting resources under these various programs are eligible for reimbursement to any Colorado County Sheriff, fire protection district, or municipal fire department in accordance with the following guidelines. **Funding and reimbursement will occur to the extent that program funds are available.**

Summary of Eligible Resources			
Resource – <sup>1</sup>	Initial Attack Period (Not to Exceed 24 hours)	2 <sup>nd</sup> Operational Period	3+ Operational Periods
Hand Crew	Yes – <sup>2</sup>	Yes – <sup>2</sup>	No
DFPC Engines	Yes – <sup>3</sup>	Yes – <sup>3</sup>	Yes – <sup>4</sup>
DFPC Overhead	Yes – <sup>4</sup>	Yes – <sup>4</sup>	Yes – <sup>4</sup>
Type 3 Helicopter	Yes	Yes – <sup>4</sup>	Yes – <sup>4</sup>
Type 2 Helicopter	Yes	Yes – <sup>4</sup>	Yes – <sup>4</sup>
Type 1 Helicopter	Yes	No	No
Single Engine Air Tanker	Yes	Yes – <sup>4</sup>	Yes – <sup>4</sup>
Large Air Tanker	Yes	No	No
Very Large Air Tanker	Yes – <sup>4</sup>	No	No
Multi-Mission Aircraft	Yes	Yes	Yes – <sup>4</sup>
Aerial Supervision	Yes	Yes	Yes – <sup>4</sup>

**Notes:**

- DFPC must be notified as soon as possible via the State Emergency Operations Line (303-279-8855) for usage that exceeds either 1 hour of rotor time for any helicopter and/or 1 drop from any air tanker.
- 2 hand crew days allowed if ordered within the first 2 days of the incident.
- Use of DFPC Engines is allowed during the first 48 hours of an incident with no charge to local government.
- Resource use must be pre-approved by DFPC Operations Chief or designee.

**Funding Requests and Notifications**

- As stated in Note 1 above, **notification to DFPC must occur as soon as possible via the State Emergency Operations Line (303-279-8855)** if there are multiple hours of helicopter time or multiple air tanker drops on an incident. If the requesting agency is expecting the State of Colorado to pay for any amount of resource use, that agency **must formally notify DFPC** after the incident as indicated below.
- All funding and reimbursement requests *must* be made to DFPC within 7 days of resource use. All requests should be documented on the *DFPC Wildfire Funding Notification and Request* form, and must include the following information: Who requested the resource (Sheriff, fire chief, etc.); Fire Name; Incident Number (whenever available); Resource Name(s); Dates of Use; and Copies of Resource Orders (whenever available). Formal funding and reimbursement requests can be made either via email to: [wildlandfire@state.co.us](mailto:wildlandfire@state.co.us) with a carbon copy to your DFPC Battalion Chief, or by using the online form that can be accessed at: <https://goo.gl/forms/HWEYDjTXxE5iG4F33>

<b>Additional Details – Hand Crews</b>	
<b>Eligible</b>	Hand crew logistics costs of lodging, camping, transportation/fuel and per diem.
	Crews must be qualified in accordance with applicable NWCG standard.
	Different crews may be used, but only for a total of 2 hand crew days per incident.
<b>Not Eligible</b>	Travel time to bring hand crews from outside Colorado.
	Crews utilized within their jurisdiction or utilized in accordance with pre-established Mutual Aid agreements.
<b>Additional Details – Aviation Resources</b>	
<b>Eligible</b>	Resource(s) utilized on state and private land fires, and for fires that occur within the federal mutual aid areas as defined in the County AOP.
	A combination of fixed and rotor wing resources may be funded on the same incident, subject to pre-approvals outlined above.
	Resource(s) beyond the first operational period may be approved by DFPC, based on factors such as fire potential, values at risk, defined mutual aid periods, boundary line fires, availability of funds, etc.
	Additional government helicopter personnel, support equipment and apparatus (helitack crew), as outlined in Interagency Incident Business Management Handbook and appropriate supplements.
	Fuel and support trucks assigned to aviation resources. Contracted vendor support crew, relief crew and other expenses to maintain aircraft availability.
	Daily availability costs of aircraft.
	Only OAS or USFS interagency FIRE carded pilots and aircraft, ordered through the procedures outlined in the County AOP.
<b>Not Eligible</b>	Non-operational flight time costs (ferry time, point to point etc.) to bring aerial resources to Colorado.
<b>Process</b>	1. Requesting agency orders appropriate Kind and Type of resource(s). Consult the County AOP for the local, state, and interagency dispatch procedures to
	2. The Closest Forces concept will be utilized meaning that the closest available resource of the Kind and Type requested will be dispatched to the incident.
	3. DFPC must be notified via the State Emergency Operations Line (303-279-8855) if multiple aviation resources are ordered on an incident.
	4. Costs for resources utilized outside of these guidelines, will be charged to the requesting agency(ies). Actual costs vary by resource used.
Questions concerning this guidance should be directed to your DFPC Battalion Chief.	

**SIGNATURES**

Authorized Representatives

**OURAY COUNTY SIGNATURES 2019**

  
Signature

1/30/2019  
Date

LANCE P. FITZKEARD  
Printed Name

County Sheriff  
Title

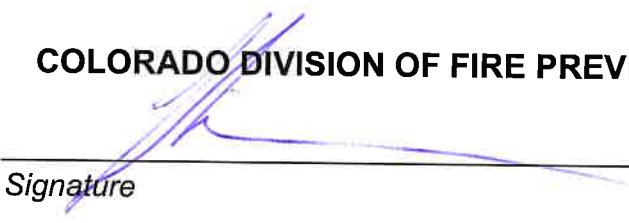
  
Signature

2/5/2019  
Date

JOHN E. PETERS  
Printed Name

County Commissioner  
Title

**COLORADO DIVISION OF FIRE PREVENTION & CONTROL SIGNATURE**

  
Signature

2/12/19  
Date

LUKE ODOM  
Printed Name

Regional BC  
Title

**FEDERAL LAND MANAGEMENT AGENCY SIGNATURES**

**GMUG NF (OURAY COUNTY 2019)**

  
\_\_\_\_\_  
Signature

2/13/19  
\_\_\_\_\_  
Date

Chad Stewart  
\_\_\_\_\_  
Printed Name

Acting FOREST SUPERVISOR  
\_\_\_\_\_  
Title

UNCOMPAHGRE, GUNNISON NATIONAL FOREST  
Federal Agency, Unit

FEDERAL LAND MANAGEMENT AGENCY SIGNATURES  
BUREAU OF LAND MANAGEMENT (OURAY COUNTY 2019)

Stephanie Connolly  
Signature

2/22/19  
Date

Stephanie Connolly  
Printed Name

DISTRICT MANAGER  
Title

BUREAU OF LAND MANAGEMENT  
Federal Agency, Unit