

JOINT POWERS OPERATING PLAN

PECOS ZONE UNIT

**AGE. NO. 16-R3-77-0003
NO. CANMSO 90**

NO. 66-4

Forest Supervisor,
Lincoln National Forest

Date

Capitan District Forester,
State of New Mexico, Forestry Division

Date

Roswell Field Office Manager,
Bureau of Land Management

Date

Las Cruces Field Office Manager,
Bureau of Land Management

Date

Carlsbad Field Office Manager,
Bureau of Land Management

Date

Mescalero Agency Superintendent,
Bureau of Indian Affairs

Date

Superintendent, **Carlsbad Caverns National Park**

Date

Superintendent,
Guadalupe Mountains National Park

Date

Superintendent,
Ft. Davis National Historic Site

Date

Superintendent,
Big Bend National Park

Date

Superintendent,
White Sands National Monument

Date

Superintendent,
Chamizal National Monument

Date

Refuge Manager,
Bitter Lake National Wildlife Refuge

Date

Hatchery Manager,
Dexter National Fish Hatchery

Date

Refuge Manager,
San Andreas National Wildlife Refuge

Date

JOINT POWERS OPERATING PLAN

This Operating Plan is between the United States Department of the Interior, National Park Service (NPS), Bureau of Land Management (BLM), Bureau of Indian Affairs (BIA), Fish and Wildlife Service (F&WS), the United States Department of Agriculture, Forest Service (USFS); and the State of New Mexico - Energy, Minerals and Natural Resources Department, Forestry Division (NMFD).

I. **Authority**

The authority for Federal agencies or organizations is as follows:

USDA, Forest Service - Section 5, Act of April 24, 1950 (16 USC 572); the Act of June 30, 1914 (16 USC 498) and the Act of September 21, 1944 (16 USC 580); the Act of December 12, 1975 (16 USC 565a-1-3) and the Annual Department of Interior and Related Agencies Appropriations Act.

USDI, Bureau of Land Management - 42 Statute 857, (16 USC 594, 48 Statute 1270; 43 USC 315a, 90 Statute 2766, 43 USC 1737.

USDI, National Park Service - 16 USC 1b (1).

USDI, Bureau of Indian Affairs - 42 Statute 857; 16 USC 594; 69 Statute 66; Section 16 of Order 2503 (Secretary of the Interior).

USDI, Fish and Wildlife Service - 42 Statute 857; 16 USC 594.

Authority applicable to all Federal agencies - Reciprocal Fire Protection Act of 1955 (42 USC 1856); and the Economy Act of June 30, 1932 (31 USC 686).

The authority for the New Mexico Forestry Division is as follows:

Sections 68-2-6 and 68-2-8 of the New Mexico Forest Conservation Act, NMSA 1978 Compilation.

Authority for this Operating Plan is derived from and part of the Joint Powers Agreement among the Energy, Minerals and Natural Resources Department and the United States Federal Agencies of the Department of Agriculture, Department of Interior with Wildland Fire Protection Responsibilities, Section 10, General Provisions, Item h, between the above mentioned Federal and State agencies, which call for the preparation and adoption of an annual operating plan.

II. **PURPOSE**

The purpose of the Operating Plan is to establish an agreement for wildland fire management and to provide initial attack procedures for the Pecos Zone.

III. MANAGEMENT BOARD

It is agreed that the following Management Board will be established to coordinate activities within the Zone:

A. Type II and Type III Interagency Incident Management Team Board

1. Membership - This board will be made up of one (1) member from each of the following agencies:
 - a. USDA Forest Service
 - b. USDI Bureau of Indian Affairs
 - c. USDI Bureau of Land Management
 - d. USDI National Park Service
 - e. State of New Mexico EMNRD - Forestry Division
 - f. US Fish and Wildlife Service

Note: PEZ Coordination Center Rep. is not a voting member of board.

2. Duties -

The duties of this Management Board will include:

- a. Participation in the selection of the New Mexico Type II and the local zone Type III Interagency Incident Management Team members;
- b. Evaluate training needs for the Incident Management Team positions and make recommendations for training courses to the Pecos Zone Interagency Coordination Center Management Board.

B. Pecos Zone Interagency Coordination Center Management Board

1. This board will be made up of one (1) member from each of the following agencies:

- a. USDA Forest Service;
- b. USDI Bureau of Indian Affairs;
- c. USDI Bureau of Land Management;
- d. USDI National Park Service;
- e. State of New Mexico EMNRD – Forestry Division;
- f. US Fish and Wildlife Service.

2. Duties –

The duties of this board will include:

- a. See *Appendix LZCC Management Board Charter – Exhibit VI.*

IV. **RESPONSIBILITY**

It is mutually agreed that each party of this Operating Plan will retain ultimate responsibility for all fire management action on lands under its administrative jurisdiction.

V. **DEFINITIONS**

1. *Initial Attack* is that initial suppression response to a wildland fire incident;
2. *Escaped Fire* is a fire that exceeds the capabilities of the initial response forces;
3. *Reinforcements* shall mean all forces subsequent to initial attack;
4. *Initial Attack Incident Commander* is the first fire qualified supervisory person to arrive at the fire, until relieved;
5. *Jurisdictional Agency* is that agency having ultimate responsibility for fire management action on lands under its jurisdiction;
6. *Initial Attack Zones* are mutually agreed upon areas delineating initial attack responsibilities;
7. *Notification of Initial Attack Action* (See *Exhibit I*).

VI. **DESIGNATED ZONES OF RESPONSIBILITY**

1. Initial attack zones have been established based on closest and available fire protection resources and capabilities of the designated responding agency. A map of these zones is attached hereto and made a part of this Operating Plan (*Exhibit I*).
2. The designated initial attack zones are based on historical wildfire incidents and are agreed to be off-setting for Federal and non-Federal expenditures of funds, and, thereby mutually beneficial and cost-effective. It is also agreed that Federal protection cost on non-Federal lands will not exceed the protection by the State. Conversely, the State will not expend funds to a greater extent in protecting Federal lands.
3. The agency responsible for initial attack should make a reasonable effort to contact private landowners in advance of fire season. The objective of such contacts is to briefly explain the initial attack responsibilities and obtain gate keys or permission by the landowner to cut fences or gates for access to fires. Any damage to private lands for access should be restored following control of the fire. These contacts should be made by local unit personnel who have the assigned initial attack responsibility.

VII. **SPECIFIC PROVISIONS**

1. Initial Attack Fires -
 - A. Communication:
 - a. Each agency will submit an initial report through the Pecos Zone Coordination Center to cooperating agencies of their available

resources by April 1st of each year. Refer to the procedures in the Pecos Zone Operating Plan.

- b. Prompt verbal notification will be given to the jurisdictional agency that initial action has been taken. (See *Exhibit I*).
- c. A Fire Situation Report must be submitted daily to PZCC and a copy to the jurisdictional agency.
- d. Radio frequency authorization (See *Exhibit V*).

B. Coordination:

- a. The initial attack agency shall abide by the jurisdictional agency's procedures in dealing with ownerships involved.
- b. The initial attack agency shall submit its Fire Report to the jurisdictional agency within fourteen (14) days after the fire is declared out.
- c. The initial attack agency will continue dispatching services on fires for which initial attack actions are being taken.
- d. The agencies may jointly conduct mutual interest projects, within their authority, to maintain or improve the fire management capability of the agencies. Such projects will be conducted through specially developed agreements.

C. Payment:

The initial attack agency will bear the initial attack cost unless otherwise negotiated.

D. Critical Zone Needs:

The activation of a Multiple Agency Coordination (MAC) Group for extenuating fire needs of the Zone will be at the discretion of the MAC Group Board Members or delegates.

2. Escaped Initial Attack Fire

A. Communication:

- a. The initial attack agency shall notify PZCC when the fire has escaped initial attack.
- b. The time of escape, date, from whom and to whom the report is made must be documented by the dispatcher and reported immediately to the jurisdictional agency. (See *Exhibit III*).

B. Coordination:

- a. Jurisdictional agency will initiate management action as necessary to suppress the fire and assume management of the fire as soon as the designated agency representative arrives at the fire.
- b. The jurisdictional agency may request the initial attack agency to retain control of the fire. When agreement is reached, documentation will be made.
- c. The initial attack agency shall submit an estimate of reimbursable suppression cost to the State within two (2) weeks from the time the service was rendered (See *Exhibit IV*).
 - (1) Final bill will be submitted within one hundred-twenty (120) days from the time of the service.

VIII. **GENERAL PROVISIONS**

A. Fire Out Policy -

As a minimum, on an initial attack fire, a fire will not be abandoned until at least one (1) hour has passed since the last hot spot was check extinguished. A check of the fire will be made within twenty-four (24) hours after it was abandoned to check for hot spots. If no hot spots are found, the fire will be declared out.

B. Mop Up/Abandonment Checks -

The initial attack agency will be responsible for mop up and abandonment checks, unless otherwise negotiated. Mop up and abandonment checks for escaped fires will be determined by the jurisdictional agency.

C. News Releases -

Involved agencies will coordinate news release items pertaining to the current fire situation to the media. Jurisdictional agency will be responsible for news releases on fire specific to their agency.

D. Fire Statistics (Fire Report/Records, etc.) -

The jurisdictional agency has the responsibility of preparing their statistical fire report. Information for this report shall be provided by the responding agency.

E. Effective Date -

This plan is effective when all parties have signed and dated.

F. Review/Revisions -

1. This Operating Plan will be reviewed annually by representatives of each participating agency before March 15th of each year. The plan shall remain valid for three to five years unless major changes in policy or direction render then plan invalid prior to the expiration of that period. The current plan should be revised prior to the 2007 fire season.
2. This Operating Plan will remain in effect among all the signing parties until one (1) or more of the parties submits a written Notice of Withdrawal from the Operating Plan which would affect the other parties signing. Interim modifications of this plan may be made subject to agreement by parties concerned to correct unworkable situations.
3. Changes in initial attack responsibility areas will be made as attachments to this Operating Plan and will be signed only by those parties involved in those changes. Amendments will be submitted to the State Forestry Division to be placed in the Joint Powers Operating Plan master file.
4. Copies of the master Joint Powers Operating Plans and maps of initial attack zones will be maintained by the State Forestry Division.

EXHIBITS

- I. Pecos Zone Initial Attack Map
- II. Notification of Initial Attack Action
- III. Notification of an Escaped Fire
- IV. Fire Reimbursement Estimate
- V. Radio Frequency Authorization
- VI. Lincoln Zone Functional/Organizational Statement

EXHIBIT I

Pecos Zone Initial Attack Map

EXHIBIT II

1. To (Jurisdictional Agency):
2. FROM (Initial Attack Agency):
3. BY (Dispatcher):
4. NAME OF INCIDENT:
5. DATE OF DISCOVERY
6. TIME OF DISCOVERY
7. LAND STATUS
8. **Latitude:** **Longitude:** **Datum:**
9. GENERAL LOCATION:
10. SIZE:
11. COVER (Fuels):
12. GENERAL FIRE BEHAVIOR:
13. CAUSE
14. RESOURCES RESPONDING:
15. DATE OF NOTIFICATION:
16. TIME OF NOTIFICATION:
17. REMARKS:

EXHIBIT III

NOTIFICATION OF AN ESCAPED FIRE

1. To (Jurisdictional Agency):
2. FROM (Initial Attack Agency):
3. BY (Dispatcher):
4. NAME OF INCIDENT:
5. DATE OF DISCOVERY:
6. TIME OF DISCOVERY:
7. LEGAL: T_____ R_____ S_____
8. SIZE:
9. RECEIVED BY (Jurisdictional Agency):
10. DATE OF NOTIFICATION:
11. TIME OF NOTIFICATION:
12. REMARKS: (i.e., Resources committed/Resource threatened, etc.)

EXHIBIT IV

FIRE REIMBURSEMENT ESTIMATE

SEND TO:	(DO NOT WRITE IN THIS BLOCK)
New Mexico State Forester	Date Received:
EMNRD - Forestry Division	Approved by:
POB 1948	Amount of Encumbrance:
Santa Fe, NM 87504-1948	Voucher No.:
	Line Item No.:
	Date Paid:
AGENCY REQUESTING REIMBURSEMENT:	
	Billing Date:
	Date Payment Due:
FIRE IDENTIFICATION DATA:	
State Fire No.:	
Fire Name:	
Date of Incident:	

EXHIBIT V

RADIO FREQUENCY AUTHORIZATION

EXHIBIT VI

PECOS ZONE COORDINATION CENTER MANAGEMENT BOARD CHARTER

I. INTRODUCTION /PURPOSE:

In accordance with the Pecos Zone (PEZ) Joint Powers Operating Plan, the purpose of this Board, as defined in this Charter, is to provide interagency management direction and guidelines for the operation of the Pecos Zone coordination Center (PZCC). The PZCC, an interagency fire management entity, is managed on a day-to-day basis by the Center Director with the assistance of the Center Coordinators from other participating agencies.

This Charter is intended to define the basic purpose of the Board and provide broad guidelines for the operation of the Center and does not in any way override individual agency authorities and procedures.

II. BOARD MEMBERSHIP:

Board membership consists of one (1) designated voting member representative from each of the following participating agencies:

PEZ – Not a voting member

BIA - representing the Mescalero Agency;

BLM - representing Roswell/Carlsbad field offices;

NMFD - representing the Capitan District;

NPS - representing the Carlsbad Caverns, Guadalupe Mountains, and Big Bend National Parks, Fort Davis National Historic Site, Chamizal and White Sands National Monuments, and Amistad National Recreation Area;

USFS - representing the Lincoln National Forest;

USF&WS - representing all field stations.

III. ANNUAL PECOS ZONE OPERATING PLAN:

The Plan will be presented to the Board for review each year.

IV. BOARD DUTIES/RESPONSIBILITIES:

1. Delegation of the voting members to the Board will be designated in writing by the Agency Administrator(s) of each participating agency by January 1 of each calendar year. Each agency has one vote, one voting member, in all board votes.
2. The PEZ Board will function as the Multi-Agency Coordination (MAC) Group regarding prioritization of wildland fires and allocation of resources. Board members must be able to represent Agency Administrator(s) and must have knowledge and authority to enforce agency policy, especially in MAC Group matters.

3. Board meetings will be held a minimum of 4 times a year. Board meetings are open to all appropriate agency personnel however voting on any issues will be limited to Board members. The Board Chair may, at his/her discretion, exclude non-members during votes. Meetings will normally be scheduled as follows:
 - a. A July meeting will be held to critique recent Type 1/2/3 incidents and to resolve any issues that may be present.
 - b. An October meeting will be held to address PEZ wildland fire training needs, and to review the PEZ Wildland Fire Training Plan.
 - c. A December meeting or conference call will be held to review and recommend nominees to the Type 1 teams.
 - d. A January meeting will be held to review the PEZ Coordination Center Annual Report, review the PEZ Coordination Center Annual Operating Plan for the forthcoming fire season. The plan will be presented to the Board by February 15th and presented to the Agency Administrators for review and approval at their Spring meeting. The Board will also normally review all Type 2 Team nominations at the January meeting.
 - e. A March or April meeting will be held to share resource status, prescribed fire plans, and generally to ensure cooperation going into fire season.
 - f. Conference calls will be held as deemed necessary by a quorum of members, the Zone Center Manager, or by the Zone Board Chair. Conference calls are strongly encouraged to be a regular occurrence during fire season. The logistics of conference calls will normally be handled by the Zone Center Manager.
 - g. Board meetings will be moderated by the Zone Board Chair using the "Robert's Rules of Order" or similar format.
 - h. Motions must be voted on by a quorum of board members and must be passed by a 2/3 majority vote. The Board Chair casts the tie-breaker in the case of a tie vote.
 - i. Minutes of the meeting will be kept by the Zone Center Manager or his/her designee. Meeting minutes will minimally document all meeting resolutions and will be distributed in a timely manner by the Zone Center Manager.
4. The Board Chair position will normally be held for one year to rotate in the following order: NM State Forestry, NPS, USFWS, USFS, BLM, BIA. The Vice Chair position will normally be held for one year by the member next in the above rotation. The Board Chair can be removed and replaced by the Vice Chair upon a formal vote of 4 board members.

Summary of Individual Responsibilities:

The Zone Board:

1. The Zone Board is the governing body of the Zone.
2. The Zone Board will maintain cooperative approaches to all aspects of wildland fire management in PEZ under the auspices of the Joint Powers Operating Plan.

Zone Board Chair

1. Must be available at all times to oversee wildland fire related Zone wildland fire activities and to maintain communications with and amongst Zone Board members.
2. Plans meetings, arranges logistics, solicits agenda items, and moderates meetings.
3. Attends meetings of the Southwest Area Coordination Group.
4. Signs correspondence from the Zone Board such as meeting minutes, communiqués to the Southwest Area Coordination Group, or directives to the Zone Center Manager.
5. Convenes Zone MAC Group on an as-needed basis.
6. Serves as Zone Representative on the NM Type II Team Management Board.

Zone Board Vice Chair

1. May assume any or all of the Zone Board Chair's responsibilities in that person's absence or unavailability and will assume the role of Zone Board Chair the following year.

Zone Center Manager

1. Manages and supervises the day-to-day activities of the Zone Center
2. Prepares an Annual Progress and Accomplishment Report for presentation at the January Zone Board meeting
3. Completes a draft PEZ Annual Operating Plan by December 1st of each year and distributes to Zone Board members for review prior to the January meeting
4. Completes the PEZ Training Plan by December 1st of each year.

5. Prepares an information package containing the PEZ Annual Report, PEZ Training Plan and draft PEZ Operating Plan to distribute to the Agency Administrators prior to the January meeting.

Zone Board Members

1. Are cooperative and involved and are interested in the benefits to be gained by all cooperators in PEZ by cooperative wildland fire management.
2. Must possess the authority to represent their Agency Administrator regarding wildland fire management issues. Must have knowledge and authority to enforce agency policy, especially in MAC Group matters.
3. Are responsible for identifying a designee from their agency for periods of time of unavailability
4. May participate as members of working groups tasked with resolving specific issues.

Working Groups:

Working groups to address specific needs can be formed at any time. Working groups will be composed of at least one board member who will report out to the Zone

ADDENDUM "A"

AUTHORIZED FREQUENCIES

Primary Channels:			
USFS	171.450	Cibola	Ken Lyman
Santa Fe NF	172.300	Santa Fe	Dale Adams
Carson NF	169.175	Carson	Steve Curran
Lincoln NF	169.125	Lincoln	Mike Malus
Gila NF	169.175 169.975	Gila	Bob Moore
Regional Coordination Center (RCC)	168.350	RCC	Ken Lyman

National Park Service:			
Carlsbad Caverns	164.600		Dean Vernon
Guadalupe Mountains	164.425	Pecos	
White Sands	166.350	Ft. Union	
Big Bend	166.375		

BIA:	RX	CG	TX	CG
Cienegita	172.450	103.5	170.100	103.5
Pajarita	172.450	114.8	170.100	114.8
Wofford	172.450	127.3	170.100	127.3

BLM:			
Albuquerque Farmington Santa Fe	168.525	Gary Strayhand	NM State Office 438-7400
Socorro	169.650	Same	Same
Las Cruces	168.575	Same	Same
Roswell Carlsbad Hobbs	168.500	Same	Same

State of NM:			
EMNRD Forestry	159.420	156.7 Guard	Frank Smith

Fish/Wildlife:			
Statewide	164.625	Tom Gavin	BitterLake Roswell

Secondary Channels:			
Travel/Federal	168.350		
Travel/State Forestry	159.225	156.7 Guard	
National Flight Following	168.650		
Emergency Air to Ground	168.625		

ADDENDUM "B"

ESTIMATED REIMBURSABLE SUPPRESSION COSTS

Payroll		\$
Travel		\$
Equipment (Description)		\$
Aircraft (Description)		
1. Fixed Wing		\$
2. Rotary		\$
Retardant		
1. Fire Order Numbers		\$
2. Gallons/Retardant Delivered		\$
Supplies		
1. Fire Order Numbers		\$
2. Type of Supplies Shipped (List)		\$
	A.	\$
	B.	\$
	C.	\$
	D.	\$
	E.	\$
	F.	\$
	G.	\$
	H.	\$
	I.	\$
3. Indirect Cost (%)		\$
TOTAL:		\$

If there are any questions pertaining to this reimbursement request, who should be contacted?

Name: _____ Telephone Number: _____