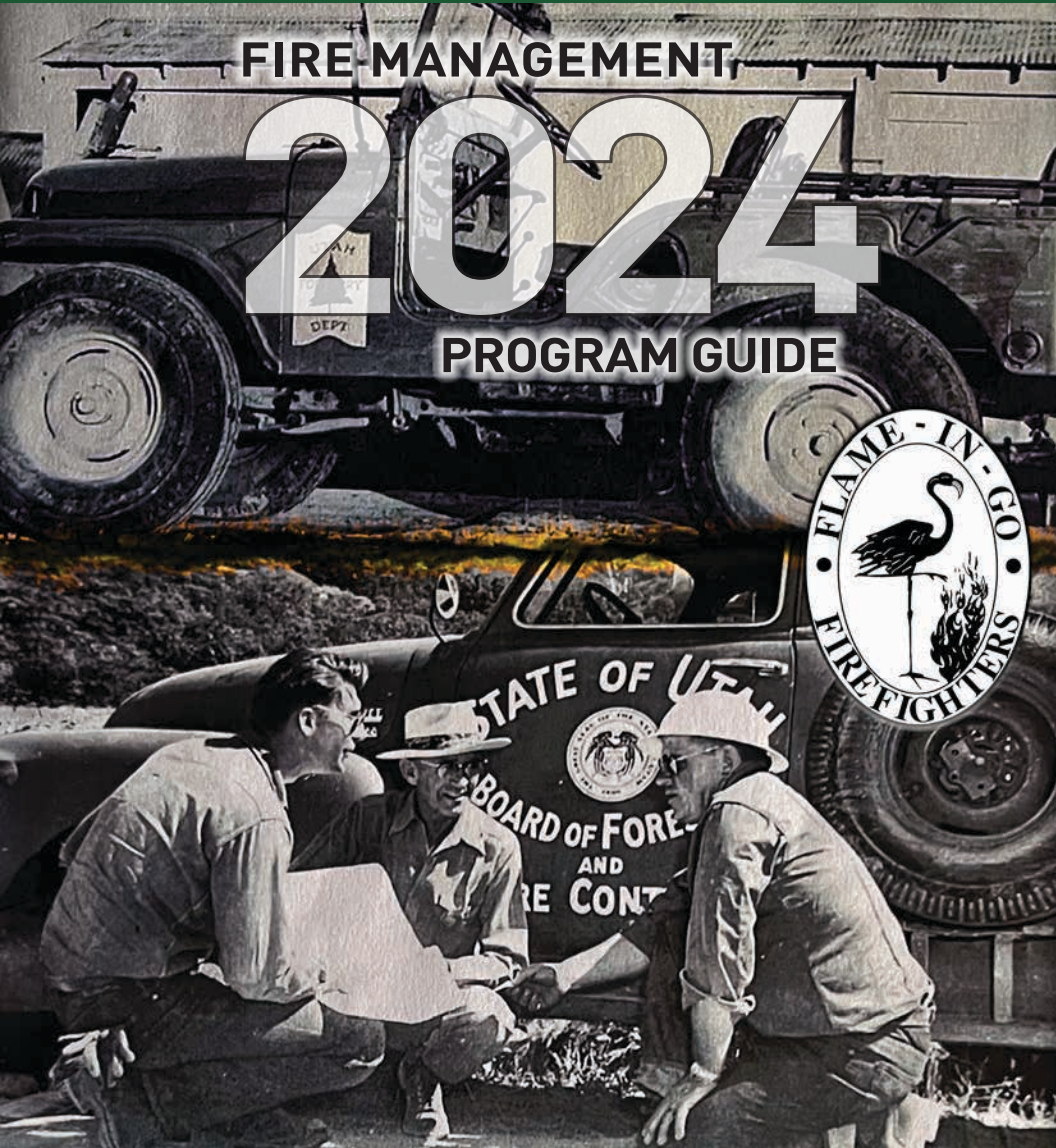


DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF FORESTRY, FIRE & STATE LANDS

FIRE MANAGEMENT

# 2024

PROGRAM GUIDE



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## CHAPTER 1 DIVISION ORGANIZATION

### MISSION STATEMENT

The Division of Forestry, Fire and State Lands (FFSL) manages, sustains and strengthens Utah's forests, rangelands, sovereign lands and watersheds for its citizens and visitors.

### AGENCY RESPONSIBILITY

- Determine and execute the best methods of protecting private and public property by preventing the origin and spread of fire on non-federal forest, rangeland and watershed.
- Protect non-federal forest and watershed areas through application of conservation principles.
- Encourage private landowners to preserve, protect and manage forest and other lands throughout the state.

### CORE VALUES OF THE FIRE PROGRAM

- WE encourage innovation
- WE cultivate a trusting environment
- WE embrace a safety-conscious approach
- WE promote open and honest communication
- WE respect and develop individuals and teams
- WE uphold the highest standard of integrity in all of our actions
- WE are personally accountable and deliver on our commitments
- WE develop sincere relationships resulting in valuable partnership

### MISSION STATEMENT

The mission of the FFSL Fire Program is to protect Utah from the dangers of wildfire through collaborative prevention, preparedness, fuels mitigation, and fire management.

### COOPERATIVE AGREEMENTS AND BUSINESS MANAGEMENT TOOLS

All current State Agreements, Fire Department Agreements, County Agreements, Rate Books and Utah Wildfire Resource Memorandum of Understanding (UWRMOU) are stored on the State FFSL Enterprise Website: <https://ffsl.link/EnterpriseFire> - for QR Code see 1.1 on page 12. These documents are updated annually and are utilized by state and federal resources, including Incident Management Teams.

## **UTAH COOPERATIVE FIRE MANAGEMENT AGREEMENT (CFMA) AND STAFFORD ACT RESPONSE AGREEMENT**

The purpose of this Agreement is to document the commitment of the Agencies to this Agreement to improve efficiency by facilitating the coordination and exchange of personnel, equipment, supplies, services, and funds among the Agencies in sustaining wildland fire management activities, such as prevention, preparedness, communication and education, fuels treatment and hazard mitigation, fire planning, response strategies, tactics and alternatives, suppression and emergency stabilization and/or burned area rehabilitation. Agreement numbers are listed in the Reference Section.

## **STATEWIDE OPERATING PLAN**

This Statewide Operating Plan is prepared pursuant to the (CFMA) between the State of Utah Division of Forestry, Fire and State Lands and U.S. Department of Interior Agencies (DOI) within the State and the Intermountain Region of the U.S. Forest Service.

## **FIRE DEPARTMENT MANUAL AND RATE BOOK**

The Utah Division of FFSL, Fire Department Manual and Rate Book establishes standard pay rates and explains the requirements and payment method for Utah fire departments and supporting agencies providing services on wildland fires outside their jurisdictional area of responsibility.

## **FIRE DEPARTMENT UWRMOU**

The purpose of this UWRMOU is to provide a mechanism for procurement, use and compensation for services provided by Utah fire departments or districts outside their jurisdictional area of responsibility to the State of Utah and its cooperators.

## **AGREEMENT BETWEEN FFSL AND COUNTIES**

For the purpose of establishing and maintaining a cooperative program for wildland fire protection in order to discharge the responsibilities of the County and the State for protecting unincorporated private, County and state-owned forest, rangeland and watershed lands from fire as provided by UCA, section 65A-8-203.

## **UTAH NATIONAL GUARD AGREEMENT**

This agreement provides a mechanism for the use of and reimbursement for National Guard resources on wildland fire incidents. Resources can only be used under the authority of a Governor's declaration of a state of emergency. All requests for National Guard resources are made through the state office.

## **UTAH DEPARTMENT OF TRANSPORTATION AGREEMENT**

This agreement defines the procedures for ordering and procuring Utah Department of Transportation resources for wildland fire management activities.

## **ORGANIZATIONAL OVERVIEW**

The Division of Forestry, Fire and State Lands is one of the eight divisions that comprise the Department of Natural Resources.

## **GEOGRAPHIC AREAS**

- Bear River
- Central
- Northeast
- Southwest
- Southeast
- Wasatch Front

Each Area is responsible for the delivery of fire management, forestry, and sovereign lands programs within their Area. Program management provides for the assistance in the following areas:

- Landowner Forestry
- Urban and Community Forestry
- Forest Health
- Fire Suppression
- Prescribed Fire
- Wildland Urban Interface
- Hazardous Fuels Management
- Grant Assistance
- Federal Excess Personal Property
- Wildland Fire Training
- Interagency Coordination
- Sovereign Lands Management
- GIS Database

For more information or assistance visit <https://forestry.utah.gov> - for QR Code see 1.2 on page 12.

## **DIVISION RESOURCES**

All FFSL fire suppression resources or support personnel follow National Wildfire Coordination Group (NWCG) guidelines for qualifications and training. FFSL has fire management professionals that provide suppression and support roles. Area offices are staffed with Fire Management Officers, Wildland Urban Interface (WUI) Specialist and Suppression Specialists (Fire Wardens) to manage incidents on state and private lands as well as assisting with multijurisdictional incidents.



## AREA POSITIONS

- Manager
- Fire Management Officer
- Fire Wardens 1 & 2
- Assistant Fire Wardens
- Fire Technicians
- Wildland Urban Interface (WUI) Specialist
- Wildland Urban Interface (WUI) Technician
- Fuels Modules
- Administrative Assistant
- Forester
- Sovereign Lands Coordinator
- Interagency Dispatcher

## LONE PEAK CONSERVATION CENTER

The Lone Peak Conservation Center (LPCC) hosts 5 crews and 2 engines for incident and non-incident assignments. The primary focus is to provide well trained wildfire response resources. Season duration ranges between 3 and 6 months for LPCC resources. Season start and end dates are staggered between the crews and engines to provide resource availability over lengthening fire seasons. LPCC resources also complete natural resource projects for the state or interagency partners when not on fire assignment. LPCC has a full-time fire, support, and overhead staff of 32, with an annual seasonal workforce that can range from 74–80. More information can be found at <https://lonepeak.utah.gov> - for QR Code see 1.3 on page 12.

LPCC resources are ordered through the Northern Utah Interagency Fire Center (NUIFC). LPCC will notify the State Fire Management Officer (FMO) when LPCC resources are ordered. If resources are positioned outside the NUIFC area, those resources may be dispatched by the local interagency fire dispatch office. The Lone Peak and Alta Interagency Hotshots are National Resources and will be utilized and dispatched in accordance with the procedures established for national resources. LPCC resources are self-supporting and crew leaders are capable of procuring logistical support items required for project and incident assignments. LPCC crews come fully trained, certified and equipped to safely complete assignments within their scope of training and qualifications.

## LPCC RESOURCES

- Center Manager
- Logistics Specialist
- Fire Business
- Financial Analyst

- Operations Manager
- Safety Specialist
- Training Specialist

## **INTERNSHIP**

- FFSL hires student interns from the Utah Valley University Fire Science program who fight fire and work on natural resource projects. Students can earn college credit toward a degree in Fire Science.

## **LONE PEAK ENGINES 491 & 492**

- Type 4 Engines.
- 800 gallon tank capacity with class A foam capabilities.
- Staffing includes one NWCG Engine Boss (ENGB) and a minimum of 4 crew members, which includes one Engine Operator (ENOP)
- Engines are designed to operate in the urban interface.
- Each engine is dispatched as a single resource or can be ordered to fill a Strike Team or Task Force
- The LPCC Engines will be available from early May to late October.

## **TWIN PEAKS IA CREW**

- Twin Peaks is a 22-person Type 2 IA crew that has the experience to handle complex suppression assignments and fuels work.
- Twin Peaks provides an option for student interns to gain engaged learning experience on incidents and project assignments.
- Crew is available from mid-May to late October,

## **DROMEDARY PEAK IA CREW**

- The Dromedary Peak Handcrew is a 22-person Type 2 IA crew that has the experience to handle complex suppression assignments and fuels work.
- Dromedary provides an option for student interns to gain engaged learning experience on incidents and project assignments.
- Crew is available from mid-May to late October.

## **THUNDER MOUNTAIN FUELS CREW**

- Thunder Mountain is a 24-person State only fuels crew that consists of two(2) 12-person modules that will be available for project work throughout the State of Utah.
- Staffing of each module will have a CREWBOSS (CRWB) and a minimum of 8 crewmembers.
- Crew is available from mid-June to mid-November.




## **LONE PEAK HOTSHOTS AND ALTA HOTSHOTS**

- Lone Peak and Alta Interagency Hotshot Crews (IHC) are state sponsored crews.
- Both IHC's are National Resources and are mobilized and managed as such.
- Standards for Interagency Hotshot Operations define the nationally accepted criteria for annual IHC certification.
- Best chance for project availability is early or late season.
- LPCC IHCs stagger their start dates in order to provide coverage from early May to late October.

## **OTHER STATE COOPERATORS**

- National Guard
- Utah Department of Transportation (UDOT)
- Division of Emergency Management (DEM)
- State Fire Marshal
- Department of Public Safety (DPS)
- Utah Highway Patrol (UHP)
- County and Local Governments

**CHAPTER 1 QR CODES**

<p><b>1.1</b> FFSL Enterprise Fire webpage</p> 	<p><b>1.2</b> FFSL website</p> 
<p><b>1.3</b> Lone Peak website</p> 	

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## CHAPTER 2 STATUTES/RULES/POLICY

### UTAH CODE ANNOTATED — TITLE 65A-3-1– 65A-8-212

Effective 7/1/2022

#### 65A-3-1. Trespassing on state lands -- Penalties.

- (1) As used in this section:
  - (a) "Anchored" means the same as that term is defined in Section 73-18-2.
  - (b) "Beached" means the same as that term is defined in Section 73-18-2.
  - (c) "Motorboat" means the same as that term is defined in Section 73-18-2.
  - (d) "Motor vehicle" means the same as that term is defined in Section 41-22-2.
  - (e) "Vessel" means the same as that term is defined in Section 73-18-2.
- (2) A person is guilty of a class B misdemeanor and liable for the civil damages prescribed in Subsection (4) if, without written authorization from the division, the person:
  - (a) removes, extracts, uses, consumes, or destroys any mineral resource, gravel, sand, soil, vegetation, or improvement on state lands;
  - (b) grazes livestock on state lands;
  - (c) uses, occupies, or constructs improvements or structures on state lands;
  - (d) uses or occupies state lands for more than 30 days after the cancellation or expiration of written authorization;
  - (e) knowingly and willfully uses state lands for commercial gain;
  - (f) appropriates, alters, injures, or destroys any historical, prehistorical, archaeological, or paleontological resource on state lands;
  - (g) starts or maintains a fire on state lands except in a posted and designated area;
  - (h) camps on state lands, except in posted or designated areas;
  - (i) camps on state lands for longer than 15 consecutive days at the same location or within one mile of the same location;
  - (j) camps on state lands for 15 consecutive days, and then returns to camp at the same location before 15 consecutive days have elapsed after the day on which the person left that location;
  - (k) leaves an anchored or beached vessel unattended for longer than 48 hours on state lands;
  - (l) anchors or beaches a vessel on state lands at the same location for longer than 72 hours or within two miles of the same location for longer than 72 hours;
  - (m) anchors or beaches a vessel on state lands at the same location for 72 hours, and then returns to anchor or beach the vessel at the same location or within two miles of the same location before 72 hours have elapsed after the day on which the person left that location;
  - (n) posts a sign claiming state land as private property;

- (o) prohibits, prevents, or obstructs public entry to state land where public entry is authorized by the division; or
- (p) parks or operates a motor vehicle on the bed of a navigable lake or river except in those areas:
  - (i) supervised by the Division of State Parks, the Division of Outdoor Recreation, or another state or local enforcement entity; and
  - (ii) which are posted as open to vehicle use.
- (3) A person is guilty of a class C misdemeanor and liable for civil damages described in Subsection (4) if, on state lands surrounding Bear Lake and without written authorization of the division, the person:
  - (a) parks or operates a motor vehicle in an area on the exposed lake bed that is specifically posted by the division as closed for usage;
  - (b) camps, except in an area that is posted and designated as open to camping;
  - (c) exceeds a speed limit of 10 miles per hour while operating a motor vehicle;
  - (d) drives recklessly while operating a motor vehicle;
  - (e) parks or operates a motor vehicle within an area between the water's edge and 100 feet of the water's edge except as necessary to:
    - (i) launch or retrieve a motorboat, if the person is permitted to launch or retrieve a motorboat;
    - (ii) transport an individual with limited mobility; or
    - (iii) deposit or retrieve equipment to a beach site;
  - (f) travels in a motor vehicle parallel to the water's edge:
    - (i) in areas designated by the division as closed;
    - (ii) a distance greater than 500 yards; or
    - (iii) for purposes other than travel to or from a beach site;
  - (g) parks or operates a motor vehicle between the hours of 10 p.m. and 7 a.m.; or
  - (h) starts a campfire or uses fireworks.
- (4) A person who commits any act described in Subsection (2) or (3) is liable for damages in the amount of:
  - (a) three times the value of the mineral or other resource removed, destroyed, or extracted;
  - (b) three times the value of damage committed; or
  - (c) three times the consideration which would have been charged by the division for use of the land during the period of trespass.
- (5) In addition to the damages described in Subsection (4), a person found guilty of a misdemeanor under Subsection (2) or (3) is subject to the penalties provided in Section 76-3-204.
- (6) Money collected under this section shall be deposited in the fund in which similar revenues from that land would be deposited.

Amended by Chapter 68, 2022 General Session

Amended by Chapter 234, 2022 General Session

*Effective 5/12/2015*

**65A-3-2. Wildland fire prevention -- Prohibited acts.**

- (1) A person is guilty of a class B misdemeanor who:
    - (a) throws or places lighted cigarette, cigar, firecracker, ashes, or other flaming or glowing substance which may cause a fire on a highway or wildland fire;
    - (b) obstructs the state forester, an employee of the Division, or an agent of the Division, in the performance of controlling a fire;
    - (c) refuses, on proper request of the state forester, an employee of the Division, or an agent of the Division, to assist in the controlling of a fire, without good and sufficient reason; or
    - (d) fires tracer or incendiary ammunition:
      - (i) anywhere except within the confines of established military reservations; or
      - (ii) except with the written permission of the director of the Division of Forestry, Fire and State Lands, given upon written request, if the director:
        - (A) specifies a limited period of time and a limited area in which the ammunition may be used, and
        - (B) issues the written permission in accordance with this title and applicable rules.
  - (2) Fines assessed under this section are deposited in the General Fund.
- Amended by Chapter 78, 2015 General Session.

*Effective 7/17/2016*

**65A-3-2.5. Wildland fire and unmanned aircraft.**

- (1) As used in this section:
  - (a) "Incident commander" means the government official or employee in command of the response to a wildland fire.
  - (b) "Neutralize" means to terminate the operation of an unmanned aircraft by:
    - (i) disabling or damaging the unmanned aircraft;
    - (ii) interfering with any portion of the unmanned aircraft system associated with the unmanned aircraft; or
    - (iii) otherwise taking control of the unmanned aircraft or the unmanned aircraft system associated with the unmanned aircraft.
  - (c) "Sanctioned entity" includes a person that oversees, is employed by, or is working under the direction of:
    - (i) a government entity;
    - (ii) a telecommunications provider;
    - (iii) a utility provider;
    - (iv) the owner or operator of a pipeline;
    - (v) an insurance provider;
    - (vi) a resource extraction entity;
    - (vii) news media;
    - (viii) a person that operates an unmanned aircraft system under a certificate of waiver, a certificate of authorization, or any other grant of authority obtained



- from the Federal Aviation Administration that expressly authorizes operation of the unmanned aircraft system; or
- (ix) a person similar to a person described in Subsections (1)(c)(i) through (vii).
- (d) "Unmanned aircraft" means an aircraft that is:
- (i) capable of sustaining flight; and
  - (ii) operated with no possible direct human intervention from on or within the aircraft.
- (e) "Unmanned aircraft system" means the entire system used to operate an unmanned aircraft, including:
- (i) the unmanned aircraft;
  - (ii) communications equipment;
  - (iii) navigation equipment;
  - (iv) controllers;
  - (v) support equipment; and
  - (vi) autopilot functionality.
- (2) A person may not operate an unmanned aircraft system in a manner that causes an unmanned aircraft to fly within an area that is under a temporary flight restriction that is issued by the Federal Aviation Administration as a result of the wildland fire, or an area designated as a wildland fire scene on a system managed by a federal, state, or local government entity that disseminates emergency information to the public, unless the person operates the unmanned aircraft system with the permission of, and in accordance with the restrictions established by, the incident commander.
- (3) A person, other than a government official or a government employee acting within the person's capacity as a government official or government employee, that recklessly operates an unmanned aircraft system in a manner that causes an unmanned aircraft to fly within an area described in Subsection (2) is guilty of:
- (a) except as provided in Subsection (3)(b), (c), or (d), a class B misdemeanor, punishable by imprisonment as provided in Section 76-3-204 and a fine not to exceed \$2,500;
  - (b) except as provided in Subsection (3)(c) or (d), a class A misdemeanor, punishable by imprisonment as provided in Section 76-3-204 and a fine not to exceed \$5,000, if the operation of the unmanned aircraft system:
    - (i) causes an aircraft being used to contain or control a wildland fire to drop a payload of water or fire retardant in a location other than the location originally designated for the aircraft to drop the payload;
    - (ii) causes an aircraft being used to contain or control a wildland fire to land without dropping a payload of water or fire retardant in the location originally designated for the aircraft to drop the payload; or
    - (iii) prevents an aircraft, intended for use in containing or controlling a wildland fire, from taking flight;
  - (c) except as provided in Subsection (3)(d), a third degree felony, punishable by imprisonment as provided in Section 76-3-203 and a fine not to exceed \$10,000, if the operation of the unmanned aircraft system causes the

- unmanned aircraft to come into direct physical contact with a manned aircraft; or
- (d) a second degree felony, punishable by imprisonment as provided in Section 76-3-203 and a fine not to exceed \$15,000, if the operation of the unmanned aircraft is the proximate cause of a manned aircraft colliding with the ground, a structure, or another manned aircraft.
- (4) A judge may require a person convicted of a violation under Subsection (3) to pay restitution in an amount equal to damages resulting from the violation, including damages to person or property, the costs of a flight, and any loss of fire retardant.
  - (5) The incident commander of a wildland fire shall grant reasonable access to the area of, and within three miles of, the wildland fire to a sanctioned entity if:
    - (a) the access is for a purpose related to the responsibilities or business of the sanctioned entity; and
    - (b) the access can be granted, with reasonable restrictions, without imposing a safety risk or impairing efforts to control the wildland fire.
  - (6) The chief law enforcement officer for a jurisdiction located in an area described in Subsection (2) or the incident commander of a wildland fire may neutralize or authorize another to neutralize an unmanned aircraft that is flying in an area described in Subsection (2) if the chief law enforcement officer or the incident commander determines that the neutralization is reasonably necessary to terminate a violation described in Subsection (3).
  - (7) A political subdivision of the state, or an entity within a political subdivision of the state, may not enact a law, ordinance, or rule governing the private use of an unmanned aircraft in relation to a wildland fire.

Amended by Chapter 3, 2016 Special Session 3

*Effective 1/1/2017*

**65A-3-3. Enforcement of laws -- City, county, or district attorney to prosecute.**

- (1) It is the duty of the division, county sheriffs, their deputies, peace officers, and other law enforcement officers within the law enforcement jurisdiction to enforce the provisions of this chapter and to investigate and gather evidence that may indicate a violation under this chapter.
- (2)
  - (a) The city attorney, county attorney or district attorney as appropriate under Sections 10-3-928, 17-18a-202, and 17-18a-203, shall prosecute any criminal violations of this chapter.
  - (b) The counsel for an eligible entity, as defined in Section 65A-8-203, shall initiate a civil action to recover suppression costs incurred by the eligible entity for suppression of fire on private land.

Amended by Chapter 174, 2016 General Session

Effective 5/12/2020

#### **65A-3-4. Liability for causing wildland fires.**

- (1) As used in this section:
  - (a) "Electric cooperative" means the same as that term is defined in Section 54-24-102.
  - (b) "Electrical transmission wildland fire protection plan" means a wildland fire protection plan, as defined in Section 54-24-102, that is:
    - (i) prepared and submitted by a qualified utility and approved as provided in Section 54-24-201; or
    - (ii) prepared and submitted by an electric cooperative and approved as provided in Section 54-24-203.
  - (c) "Qualified utility" means the same as that term is defined in Section 54-17-801.
- (2) (a) Except as provided in Subsection (3), a person who negligently, recklessly, or intentionally causes or spreads a wildland fire shall be liable for the cost of suppressing that wildland fire, regardless of whether the fire begins on:
  - (i) private land;
  - (ii) land owned by the state;
  - (iii) federal land; or
  - (iv) tribal land.(b) The conduct described in Subsection (2)(a) includes any negligent, reckless, or intentional conduct, and is not limited to conduct described in Section 65A-3-2.
- (3) In an action under this section to recover for property damage resulting from a wildland fire or to recover the cost of fire suppression resulting from a wildland fire, a qualified utility or electric cooperative may not be considered to have negligently caused a wildland fire if:
  - (b) (i) the electrical transmission wildland fire protection plan of the qualified utility or electric cooperative identifies and addresses the cause of the wildland fire for fire mitigation purposes; and
  - (ii) at the origin of the wildland fire, the qualified utility or electric cooperative has completed the fire mitigation work identified in the electrical transmission wildland fire protection plan, including:
    - (A) inspection, maintenance, and repair activities;
    - (B) modifications or upgrades to facilities or construction of new facilities;
    - (C) vegetation management work; and
    - (D) preventative programs; or
  - (b) (i) the qualified utility or electric cooperative is denied or delayed access to a right-of-way on land owned by the state, a federal agency, or a tribal government after the qualified utility or electric cooperative requests access to the right-of-way to perform vegetation management or fire mitigation work in accordance with an electrical transmission wildland fire protection plan; and
  - (ii) the electrical transmission wildland fire protection plan identifies and addresses the cause of the wildland fire for fire mitigation purposes.

- (4) A person who incurs costs to suppress a wildland fire may bring an action under this section to recover those costs.
- (5)
  - (a) A property owner who suffers damages resulting from a wildland fire may bring an action under this section to recover those damages.
  - (b) An award for damages to real property resulting from a wildland fire, including the loss of vegetation, shall be the lesser of:
    - (i) the cost to restore the real property to its pre-wildland fire condition; or
    - (ii) the difference between:
      - (A) the fair market value of the real property before the wildland fire; and
      - (B) the fair market value of the real property after the wildland fire.
- (6) A person who suffers damage from a wildland fire may pursue all other legal remedies in addition to seeking damages under Subsection (4) or (5).

Amended by Chapter 162, 2020 General Session

*Effective 1/1/2017*

**65A-8-101. Division responsibilities for fire management and the conservation of forest, watershed, and other lands -- reciprocal agreements for fire protection.**

- (1) The division, in consultation with local authorities, shall determine and execute the best method for protecting private and public property by:
  - (a) except as provided by Subsection (1)(d), preventing, preparing for, or mitigating the origin and spread of fire on nonfederal forest, range, watershed, or wildland urban interface land in the state;
  - (b) encouraging a landowner to conserve, protect, and manage forest or other land throughout the state;
  - (c) taking action the division considers appropriate to manage wildland fire and protect life and property on nonfederal forest, range, watershed, or wildland urban interface land within the state; and
  - (d) implementing a limited fire suppression strategy, including allowing a fire to burn with limited or modified suppression, if the division determines that the strategy is appropriate for a specific area or circumstance.
- (2) The division may:
  - (a) enter into an agreement with a public or private agency or individual:
    - (i) for the purpose of protecting, managing, or rehabilitating land owned or managed by the agency or individual; and
    - (ii) establishing a predetermined fire suppression plan, including a limited fire suppression strategy, for a specific fire management area; and
  - (b) enter into a reciprocal agreement with a fire protection organization, including a federal agency, to provide fire protection for land, and an improvement on land, for which the organization normally provides fire protection.

Amended by Chapter 174, 2016 General Session

**65A-8-102. State forester.**

- (1) There is created the position of state forester to carry out the provisions of this chapter.
- (2) The state forester shall be a graduate of an accredited school of forestry, technically and professionally competent, and experienced in administration.
- (3) The state forester shall be responsible to the director of the division.
- (4) In all matters pertaining to forestry and fire control in which the state recognizes a responsibility, the state forester shall be the official representative of the state.

Renumbered and Amended by Chapter 136, 2007 General Session

*Effective 1/1/2017*

**65A-8-103. Forestry and fire control funds.**

- (1) The division shall use money available to it to meet the costs of:
  - (a) managing forest, range, watershed, and wildland urban interface fires;
  - (b) managing insect and disease epidemics;
  - (c) rehabilitating or reforesting nonfederal forest, range, and watershed lands;
  - (d) promoting wildfire preparedness, wildfire mitigation, and wildfire prevention;
  - (e) restoring and maintaining landscapes ensuring landscapes across the state are resilient to wildfire-related disturbances, in accordance with fire management objectives;
  - (f) creating fire-adapted communities, ensuring that human populations and infrastructure can withstand a wildfire without loss of life or property;
  - (g) improving wildfire response, ensuring that all political subdivisions can participate in making and implementing safe, effective, and efficient risk-based wildfire management decisions;
  - (h) reducing risks to wildlife such as the greater sage grouse; and
    - (i) carrying on the purposes of this chapter.
- (2) All money available to the division to meet the costs of Subsections (1)(a) through (i) is nonlapsing and available to the division until expended.
- (3)
  - (a) The collection and disbursement of all money made available to the division shall be in accordance with the rules of the Division of Finance.
  - (b) Money collected by the division from fees, rentals, sales, contributions, reimbursements, and other such sources shall be deposited in the appropriate account.

Amended by Chapter 174, 2016 General Session

*Effective 1/1/2017*

**65A-8-201. Uncontrolled fire is a public nuisance.**

Any fire on forest, range, watershed, or wildland urban interface land in the state burning uncontrolled and without proper and adequate action being taken to manage it is a public nuisance.

Amended by Chapter 174, 2016 General Session

*Effective 1/1/2017*

**65A-8-202. Fire control -- County responsibilities.**

- (1) A county shall abate the public nuisance caused by wildfire on unincorporated, privately owned or county owned forest, range, watershed, and wildland urban interface lands within its boundaries.
- (2) A county may participate in the wildland fire protection system of the division and become eligible for assistance from the state by agreement under the provisions of this chapter.
- (3) A county shall:
  - (a) reduce the risk of wildfire to unincorporated, privately owned or county owned forest, range, watershed, and wildland urban interface land within the county's boundaries, with private landowner permission, through appropriate wildfire prevention, preparedness, and mitigation actions; and
  - (b) ensure effective wildfire initial attack on unincorporated privately owned or county owned forest, range, watershed, and wildland urban interface land within the county's boundaries.
- (4) A county may assign the responsibilities described in Subsections (1) and (3) to a fire service provider or an eligible entity, as defined in Section 65A-8-203, through contract, delegation, interlocal agreement, or another method.
- (5) The state forester shall make certain that appropriate action is taken to control wildland fires on unincorporated nonfederal forest, range, watershed, and wildland urban interface lands.
- (6) Nothing in this section excuses a private landowner from complying with an applicable county ordinance.

Amended by Chapter 174, 2016 General Session

*Effective 1/1/2017*

**65A-8-202.5. City and town responsibilities.**

- (1) A municipality shall abate the public nuisance caused by wildfire on forest, range, watershed, and wildland urban interface land within the boundaries of the municipality if the land is:
  - (a) privately owned; or
  - (b) owned by the municipality.
- (2) A municipality may participate in the wildland fire protection system of the division and become eligible for assistance from the state by agreement under the provisions of this chapter.
- (3) A municipality shall:
  - (a) reduce the risk of wildfire to incorporated, privately owned and municipality owned forest, range, watershed, and wildland urban interface land, with private landowner permission, through appropriate wildfire prevention, preparedness, and mitigation actions; and
  - (b) ensure effective wildfire initial attack on forest, range, watershed, and wildland urban interface land within the municipality's fire protection boundary.

- (4) A municipality may assign the responsibilities described in Subsections (1) and (3) to a fire service provider or an eligible entity, as defined in Section 65A-8-203, through contract, delegation, interlocal agreement, or another method.
- (5) The state forester shall make certain that appropriate action is taken to control wildland fires on incorporated, nonfederal forest, range, watershed, and wildland urban interface lands.
- (6) Nothing in this section excuses a private landowner from complying with an applicable county ordinance.

Enacted by Chapter 174, 2016 General Session

*Effective 5/1/2024*

**65A-8-203. Cooperative fire protection agreements with counties, cities, towns, or special service districts.**

- (1) As used in this section:
  - (a) "Eligible entity" means:
    - (i) a county, a municipality, or a special service district, special district, or service area with:
      - (A) wildland fire suppression responsibility as described in Section 11-7-1; and
      - (B) wildland fire suppression cost responsibility and taxing authority for a specific geographic jurisdiction; or
    - (ii) upon approval by the director, a political subdivision established by a county, municipality, special service district, special district, or service area that is responsible for:
      - (A) providing wildland fire suppression services; and
      - (B) paying for the cost of wildland fire suppression services.
  - (b) "Fire service provider" means a public or private entity that fulfills the duties of Subsection 11-7-1(1).
- (2)
  - (a) The governing body of any eligible entity may enter into a cooperative agreement with the division to receive financial and wildfire management cooperation and assistance from the division, as described in this part.
  - (b) A cooperative agreement shall last for a term of no more than five years and be renewable if the eligible entity continues to meet the requirements of this chapter.
- (3)
  - (a) The state shall assume an eligible entity's cost of suppressing catastrophic wildfire as defined in the cooperative agreement if the eligible entity has entered into, and is in full compliance with, a cooperative agreement with the division, as described in this section.
  - (b) A county or municipality that is not covered by a cooperative agreement with the division, as described in this section, shall be responsible for wildland fire costs within the county or municipality's jurisdiction, as described in Section 65A-8-203.2.
- (4) To enter into a cooperative agreement with the division, the eligible entity shall:

- (a) if the eligible entity is a county, adopt and enforce on unincorporated land a wildland fire ordinance based upon minimum standards established by the division or Uniform Building Code Commission;
  - (b) require that the fire department or equivalent fire service provider under contract with, or delegated by, the eligible entity on unincorporated land meet minimum standards for wildland fire training, certification, and suppression equipment based upon nationally accepted standards as specified by the division;
  - (c) invest in prevention, preparedness, and mitigation efforts, as agreed to with the division, that will reduce the eligible entity's risk of catastrophic wildfire;
  - (b) (i) file with the division an annual accounting of wildfire prevention, preparedness, mitigation actions, and associated costs;
  - (ii) meet the eligible entity's participation commitment by making direct payments to the division; or
  - (iii) do a combination of Subsections (4)(d)(i) and (ii);
  - (c) return the financial statement described in Subsection (6), signed by the chief executive of the eligible entity, to the division on or before the date set by the division; and
  - (d) if the eligible entity is a county, have a designated fire warden as described in Section 65A-8-209.1.
- (5) (a) The state forester may execute a cooperative agreement with the eligible entity.
- (b) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, governing the:
- (i) cooperative agreements described in this section;
  - (ii) manner in which an eligible entity shall provide proof of compliance with Subsection (4);
  - (iii) manner by which the division may revoke a cooperative agreement if an eligible entity ceases to meet the requirements described in this section;
  - (iv) accounting system for determining suppression costs;
  - (v) manner in which the division shall determine the eligible entity's participation commitment; and
  - (vi) manner in which an eligible entity may appeal a division determination.
- (6) (a) The division shall send a financial statement to each eligible entity participating in a cooperative agreement that details the eligible entity's participation commitment for the coming fiscal year, including the prevention, preparedness, and mitigation actions agreed to under Subsection (4)(c).
- (b) Each eligible entity participating in a cooperative agreement shall:
- (i) have the chief executive of the eligible entity sign the financial statement, or the legislative body of the eligible entity approve the financial statement by resolution, confirming the eligible entity's participation for the upcoming year; and
  - (ii) return the financial statement to the division, on or before a date set by the division.
- (c) A financial statement shall be effective for one calendar year, beginning on the



- date set by the division, as described in Subsection (6)(b).
- (7) (a) An eligible entity may revoke a cooperative agreement before the end of the cooperative agreement's term by:
- (i) informing the division, in writing, of the eligible entity's intention to revoke the cooperative agreement; or
  - (ii) failing to sign and return its annual financial statement, as described in Subsection (6)(b), unless the director grants an extension.
- (b) An eligible entity may not revoke a cooperative agreement before the end of the term of a signed annual financial statement, as described in Subsection (6)(c).
- (8) (a) The division shall develop and maintain a wildfire risk assessment mapping tool that is online and publicly accessible.
- (b) (i) The division shall analyze adding an additional high-risk category within the wildfire risk assessment mapping tool described in Subsection (8)(a):
- (A) using a scientific assessment; and
  - (B) that is focused on the risk to dwellings within the wildland-urban interface area.
- (ii) The division shall report the results of the division's analysis under this Subsection (8)(b) to the Natural Resources, Agriculture, and Environment Interim Committee by no later than the 2024 November interim meeting of that committee.
- (c) With regard to the categories used within the wildfire risk assessment mapping tool described in Subsection (8)(a), the division may adjust the assessment for participation commitments if the adjustment is based on the Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Statistics of the United States Department of Labor, in accordance with a formula established by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Amended in 2024 General Session

*Effective 1/1/2017*

**65A-8-203.1. Delegation of fire management authority.**

- (1) As used in this section, "delegation of fire management authority" means the acceptance by the division of responsibility for:
- (a) managing a wildfire; and
  - (b) the cost of fire suppression, as described in Section 65A-8-203.
- (2) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, governing the process for delegation of fire management authority.
- (3) Upon delegation of fire management authority, the division and its named designee becomes the primary incident commander.

Enacted by Chapter 174, 2016 General Session

Effective 5/1/2024

**65A-8-203.2. Billing a county or municipality not covered by a cooperative agreement -- Calculating cost of wildfire suppression.**

- (1) The division shall bill a county that is not covered by a cooperative agreement with the division, as described in Section 65A-8-203, for the cost of wildfire suppression within the jurisdiction of that county accrued by the state.
- (2) The division shall bill a municipality that is not covered by a cooperative agreement with the division, as described in Section 65A-8-203, for the cost of wildfire suppression within the jurisdiction of that municipality accrued by the state.
- (3) The cost of wildfire suppression to a county or municipality that is not covered by a cooperative agreement with the division, as described in Section 65A-8-203, shall be calculated by determining the number of acres burned within the borders of a county or municipality, dividing that number by the total number of nonfederal acres burned by a wildfire, and multiplying the resulting percentage by the state's total cost of wildfire suppression for that wildfire.
- (4) A county or municipality that receives a bill from the division, pursuant to this section, shall pay the bill, or make arrangements to pay the bill, within 90 days of receipt of the bill, subject to the county or municipality's right to appeal, as described in Subsection 65A-8-203(5)(b)(vi).

Amended by 2024 General Session

Effective 5/3/2023

**65A-8-204 Wildland fire suppression fund created**

- (1) There is created an expendable special revenue fund known as the "Wildland Fire Suppression Fund."
- (2) The Wildland Fire Suppression Fund shall be administered by the division to pay wildfire suppression costs on eligible lands, as wildfire suppression costs are defined by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, including for an eligible entity that has entered into a cooperative agreement, as described in Section 65A-8-203.
- (3) Subject to Section 65A-8-213, the contents of the Wildland Fire Suppression Fund shall include:
  - (a) interest and earnings from the investment of fund money;
  - (b) money appropriated by the Legislature;
  - (c) federal funds received by the division for wildfire management costs;
  - (d) suppression costs billed to an eligible entity that does not participate in a cooperative agreement;
  - (e) suppression costs paid to the division by another state agency;
  - (f) costs recovered from settlements and civil or administrative actions related to wildfire suppression;
  - (g) restitution payments ordered by a court following a criminal adjudication;
  - (h) the balance of the fund as of July 1, 2016;

- (i) money deposited by the Division of Finance, pursuant to Section 59-21-2; and
  - (j) money transferred by the Division of Finance, pursuant to Section 63J-1-314.
- (4) Fund money shall be invested by the state treasurer with the earnings and interest accruing to the Wildland Fire Suppression Fund.

Amended by Chapter 97, 2023 General Session

*Effective 1/1/2017*

**65A-8-206. Disbursements from the wildland fire suppression fund.**

- (1) Disbursements from the fund created in Section 65A-8-204 shall be made only upon written order of the state forester or the state forester's authorized representative.
- (2) If the state forester determines money in the fund may be insufficient to cover eligible costs in a program year, the state forester may:
  - (a) delay making disbursements from the fund until the close of the program year; and
  - (b) request supplemental appropriations from the Legislature.

Amended by Chapter 174, 2016 General Session

*Effective 1/1/2017*

**65A-8-207. Division to administer Wildland Fire Suppression Fund -- Rulemaking -- procedures.**

By following the procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules to administer the Wildland Fire Suppression Fund.

Amended by Chapter 174, 2016 General Session

*Effective 1/1/2017*

**65A-8-209. Responsibilities of county sheriffs and fire wardens in controlling fires.**

- (1) In a county that has not entered into a cooperative agreement as described in Section 65A-8-203, the county sheriff shall take appropriate action to suppress wildfires on state or private lands.
- (2) In all cases the county sheriff shall:
  - (a) report, as prescribed by the state forester, on wildland fire control action;
  - (b) investigate and report wildfire causes; and
  - (c) enforce the provisions of this chapter either independently or in cooperation with the state forester.
- (3) In an eligible entity that has entered into a cooperative agreement, as described in Section 65A-8-203, the primary responsibility for wildfire management is the division, upon the delegation of fire management authority, as described in Section 65A-8-203.1.
- (4) The county sheriff and the county sheriff's organization shall maintain cooperative support of the fire management organization.

Amended by Chapter 174, 2016 General Session

*Effective 5/4/2022*

**65A-8-209.1. County fire warden.**

- (1) As used in this section, "participating county" means a county that participates in a cooperative agreement with the division, as described in Section 65A-8-203.
- (2)
  - (a) A county fire warden who is employed by the division as a county fire warden full-time and year round shall represent a participating county, except as provided in Subsections (2)(b) and (c).
  - (b) A county of the fifth class that, as of January 1, 2016, is cost-sharing a county fire warden with an adjacent county may continue to do so with the approval of the state forester.
  - (c) A county of the sixth class may cost-share a county fire warden with an adjacent county, with the approval of the state forester.
- (3)
  - (a) The salary and benefits paid to a county fire warden shall be:
    - (i) divided by the division and the county; or
    - (ii) paid partly by the division with the remainder shared by agreement between the counties the county fire warden represents.
  - (b) The division may annually increase the amount agreed to for the county portion if:
    - (i) the increase takes effect at the beginning of a calendar year;
    - (ii) the division provides the participating county six months notice before the increase takes effect; and
    - (iii) the increase is based on the Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Statistics of the United States Department of Labor, in accordance with a formula established by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (4)
  - (a) The division shall employ the county fire wardens.
  - (b) An individual who is employed by a county as a county fire warden on or before January 1, 2016, is not subject to the requirement to be employed by the division.

Amended by Chapter 219, 2022 General Session

*Effective 1/1/2017*

**65A-8-210. Fire control on state-owned lands -- Responsibilities of state agencies.**

- (1) The division shall abate the public nuisance caused by wildfire on state-owned forest, range, watershed, and wildland urban interface lands.
- (2) State agencies responsible for the administration of state-owned lands shall recognize the need for providing wildland fire protection and the responsibility for reducing the risk of wildfire through appropriate wildfire prevention, preparedness, and mitigation actions.

Amended by Chapter 174, 2016 General Session

Effective 5/3/2023

**65A-8-211. Closed fire season -- Notice -- Violations -- Burning permits -- Personal liability -- Exemptions from burning permits.**

- (1) As used in this section:
  - (a) "Applicable public safety answering point" means a public safety answering point or dispatch center, as those terms are defined in Section 63H-7a-103, for the jurisdiction where a burning occurs.
  - (b) "Cultivated land" means land that is not enrolled in a conservation reserve program that is readily identifiable as:
    - (i) land whose soil is loosened or broken up for the raising of crops
    - (ii) land used for raising crops
    - (iii) pasturage that is artificially irrigated
  - (c) "Field" means land where grass, grain, stubble, or hay may be burned in accordance with this section.
  - (d) "Red Flag Warning" means a weather forecast issued by the National Weather Service on a publicly available website or notification system indicating that weather conditions associated with the outbreak of wildfires are occurring.
- (2)
  - (a) The period from June 1 to October 31 of each year is a closed fire season throughout the state.
  - (b) The state forester may advance or extend the closed season wherever and whenever that action is necessary.
  - (c) The state forester shall notify the public of the alteration of the closed season by posting the appropriate proclamation on the division's website and on the Utah Public Notice Website, created in Section 63A-16-601, for at least seven days in advance of the date the change is effective.
- (3) During the closed fire season, an individual is guilty of a class C misdemeanor if the individual sets on fire, or causes to be set on fire:
  - (a)
    - (i) a forest;
    - (ii) brush;
    - (iii) range;
    - (iv) a field;
    - (v) cultivated land; or
    - (vi) a debris pile; and
  - (b) without:
    - (i) first securing a written permit from the state forester or a deputy designated by the state forester;
    - (ii) complying fully with the permit described in Subsection (3)(b)(i); and
    - (iii) subject to Subsection (10), first notifying the state forester, the state forester's designee, or the applicable public safety answering point of the approximate time the burning will occur.
- (4) During a period when a Red Flag Warning is issued, an individual is guilty of a class C misdemeanor if the individual sets on fire, or causes to be set on fire:
  - (a)
    - (i) a forest;

- (ii) brush;
  - (iii) range;
  - (iv) a field;
  - (v) cultivated land;
  - (vi) a fence line;
  - (vii) an irrigation ditch; and
- (b) without;
- (i) first securing a written permit from the state forester or a deputy designated by the state forester;
  - (ii) complying fully with the permit described in Subsection (4)(b)(i); and
  - (iii) subject to Subsection (10), first notifying the state forester, the state forester's designee, or the applicable public safety answering point of the approximate time the burning will occur.
- (5) The state forester or the state forester's designee shall issue burning permits using the form prescribed by the division.
- (6) (a) The burning permit does not relieve an individual from personal liability as a result of damage caused by the fire.
- (b) A fire escaping control of the permittee that necessitates fire control action or does injury to the property of another is prima facie evidence that the due care was not used in the burning and that the fire was not safe.
- (7) The following may refuse, revoke, postpone, or cancel a permit if the person finds it is necessary in the interest of public safety:
- (a) the state forester;
  - (b) a state forester's designee; or
  - (c) a county sheriff if there is no cooperative agreement with the division as described in Section 65A-8-203.
- (8) (a) Except for during a Red Flag Warning as described in Subsection (4)(a), a burning permit is not required:
- (i) for the burning within 10 feet of:
    - (A) fence lines on cultivated lands
    - (B) the banks of canals; or
    - (C) the banks of irrigation ditches; and
  - (ii) if:
    - (A) the burning does not pose a threat to forest, range, or watershed lands;
    - (B) due care is used in the control of the burning; and
    - (C) subject to Subsection (10), the individual notifies the state forester, the state forester's designee, or the applicable public safety answering point of the approximate time the burning will occur.
- (b) For a burning with or without a permit, an individual is guilty of a class C misdemeanor if the individual fails to notify, subject to Subsection (10), the state forester, the state forester's designee, or the applicable safety answering point of a burning as required by this section.
- (9) A burning conducted in accordance with Subsection (8) is not a reckless burning under Section 76-6-104 unless the fire escapes control and requires fire control action.

- (10) (a) The state forester or state forester's designee shall annually determine the notification process for a jurisdiction after receiving approval from the following for the jurisdiction:
  - (i) the applicable municipal chief, county fire warden, or state forester's designee; and
  - (ii) the governing body of the one or more applicable public safety answering points.
- (b) On June 1 of each year, beginning with June 1, 2023, the state forester or state forester's designee shall publish for each jurisdiction the notification process adopted under Subsection (10)(a) on the division's website and on the Utah Public Notice Website created in Section 63A-16-601.
- (c) If the state forester or state forester's designee cannot determine the notification process for a jurisdiction, a person is required to notify the applicable public safety answering point.

Amended by Chapter 153, 2023 General Session

*Effective 5/1/2024*

**65A-8-212. Power of state forester to close hazardous areas -- Violations of an order closing an area.**

- (1) (a) If the state forester finds conditions in a given area in the state to be extremely hazardous, "extremely hazardous" means categorized as "extreme" under a nationally recognized standard for rating fire danger, he shall close those areas to any forms of use by the public, or to limit that use, except as provided in Subsection (5).
- (b) The closure shall include, for the period of time the state forester considers necessary, the prohibition of open fires, and may include restrictions and prohibitions on:
  - (i) smoking;
  - (ii) the use of vehicles or equipment;
  - (iii) welding, cutting, or grinding of metals;
  - (iv) subject to Subsection (5), fireworks;
  - (v) explosives; or
  - (vi) the use of firearms for target shooting.
- (c) Any restriction or closure relating to firearms use:
  - (vii) shall be done with support of the duly elected county sheriff of the affected county or counties;
  - (viii) shall undergo a formal review by the State Forester and County Sheriff every 14 days; and
  - (ix) may not prohibit a person from legally possessing a firearm or lawfully participating in a hunt.
- (d) The State Forester and County Sheriff shall:
  - (x) agree to the terms of any restriction or closure relating to firearms use;
  - (xi) reduce the agreement to writing;
  - (xii) sign the agreement indicating approval of its terms and duration; and

- (xiii) complete the steps in Subsections (1)(d)(i) through (d)(iii) at each 14 day review and at termination of the restriction or closure.
- (2) Nothing in this chapter prohibits any resident within the area from full and free access to his home or property, or any legitimate use by the owner or lessee of the property.
- (3) The order or proclamation closing or limiting the use in the area shall set forth:
  - (a) the exact area coming under the order;
  - (b) the date when the order becomes effective; and
  - (c) if advisable, the authority from whom permits for entry into the area may be obtained.
- (4) Any entry into or use of any area in violation of this section is a class B misdemeanor.
- (5) The state forester may not restrict or prohibit the discharge of fireworks within the municipal boundaries of a city or town..

Amended, 2024 General Session

## **UTAH CODE ANNOTATED — TITLE 76-6-102 – 76-6-105**

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*Effective 5/3/2023*

### **76-6-102. ARSON**

- (1) Terms defined in Sections 76-1-101.5 and 76-6-101 apply to this section.
- (2) An actor commits arson if, under circumstances not amounting to aggravated arson, the person by means of fire or explosives unlawfully and intentionally damages:
  - (a) any property with intention of defrauding an insurer, or
  - (b) the property of another.
- (3)
  - (a) A violation of Subsection (2)(a) is a second degree felony.
  - (b) A violation of Subsection (2)(b) is a second degree felony if:
    - (i) the damage caused is or exceeds \$10,000 in value;
    - (ii) as a proximate result of the fire or explosion, any person not a participant in the offense suffers serious bodily injury as defined in Section 76-1-101.5;
    - (iii) (A) the damage caused is or exceeds \$2,000 but is less than \$10,000 in value; and
    - (B) at the time of the offense the actor has been previously convicted of a violation of this section or Section 76-6-103 regarding aggravated arson within 10 years prior to the commission of the violation of Subsection (2)(b).
  - (c) A violation of Subsection (2)(b) is a third degree felony if:
    - (i) the damage caused is or exceeds \$2,000 but is less than \$10,000 in value;
    - (ii) as a proximate result of the fire or explosion, any person not a participant in the offense suffers substantial bodily injury as defined in Section 76-1-101.5;
    - (iii) the fire or explosion endangers human life; or



- (iv) (A) the damage caused is or exceeds \$600 but is less than \$2,000 in value; and
  - (B) at the time of the offense the actor has been previously convicted of a violation of this section or Section 76-6-103 regarding aggravated arson within 10 years prior to the commission of the violation of Subsection (2)(b).
- (d) A violation of Subsection (2)(b) is a class A misdemeanor if the damage caused:
  - (i) is or exceeds \$600 but is less than \$2,000 in value; or
  - (ii) (A) is less than \$600; and
    - (B) at the time of the offense the actor has been previously convicted of a violation of this section or Section 76-6-103 regarding aggravated arson within 10 years prior to the commission of the violation of Subsection (2)(b).
- (e) A violation of Subsection (2)(b) is a class B misdemeanor if the damage caused is less than \$600.

Amended, 2023 General Session

*Effective 5/3/2023*

### **76-6-103. Aggravated Arson**

- (1) Terms defined in Sections 76-1-101.5 and 76-6-101 apply to this section.
- (2) An actor commits aggravated arson if by means of fire or explosives the actor intentionally and unlawfully damages:
  - (a) a habitable structure; or
  - (b) any structure or vehicle when any person not a participant in the offense is in the structure or vehicle.
- (3) A violation of Subsection (2) is a first degree felony.

Amended by Chapter 59, 2023 General Session

*Effective 5/3/2023*

### **76-6-104. Reckless burning.**

- (1) Terms defined in Sections 76-1-101.5 and 76-6-101 apply to this section.
- (2) An actor commits reckless burning if the actor:
  - (a) recklessly starts a fire or causes an explosion which endangers human life;
  - (b) having started a fire, whether recklessly or not, and knowing that it is spreading and will endanger the life or property of another, either fails to take reasonable measures to put out or control the fire or fails to give a prompt fire alarm;
  - (c) builds or maintains a fire without taking reasonable steps to remove all flammable materials surrounding the site of the fire as necessary to prevent the fire's spread or escape; or

- (d) damages the property of another by reckless use of fire or causing an explosion.
- (3) (a) A violation of Subsection (2)(a) or (b) is a class A misdemeanor.
- (b) A violation of Subsection (2)(c) is a class B misdemeanor.
- (c) A violation of Subsection (2)(d) is:
  - (i) a class A misdemeanor if damage to property is or exceeds \$2,000 in value;
  - (ii) a class B misdemeanor if the damage to property is or exceeds \$600 but is less than \$2,000 in value; and
  - (iii) a class C misdemeanor if the damage to property is or exceeds \$200 but is less than \$600 in value.
- (d) Any other violation under Subsection (2)(d) is an infraction.

Amended by Chapter 193, 2023 General Session

*Effective 5/3/2023*

### **76-6-104.5. Abandonment of a fire -- Penalties.**

- (1) Terms defined in Sections 76-1-101.5 and 76-6-101 apply to this section.
- (2) An actor commits abandonment of a fire if, under circumstances not amounting to the offense of arson, aggravated arson, or causing a catastrophe, the actor leaves a fire:
  - (a) without first completely extinguishing it, and
  - (b) with the intent to not return to the fire.
- (3) A violation of Subsection (2):
  - (a) is a class C misdemeanor if there is no property damage;
  - (b) is a class B misdemeanor if property damage is less than \$2,000 in value; and
  - (c) is a class A misdemeanor if property damage is or exceeds \$2,000 in value.
- (4) An actor does not commit a violation of Subsection (2) if the actor leaves a fire to report an uncontrolled fire.
- (5) If a violation of Subsection (2) involves a wildland fire, the actor is also liable for suppression costs under Section 65A-3-4.
- (6) A fire spreading or reigniting is prima facie evidence that the actor did not completely extinguish the fire as required by Subsection (2)(a).

Amended by Chapter 320, 2023 General Session

*Effective 5/3/2023*

### **76-6-105. Causing a catastrophe -- Penalties.**

- (1) Terms defined in Sections 76-1-101.5 and 76-6-101 apply to this section.
- (2) An actor commits causing a catastrophe if the actor causes widespread injury or damage to persons or property by:
  - (a) use of a weapon of mass destruction as defined in Section 76-10-401; or
  - (b) explosion, fire, flood, avalanche, collapse of a building, or other harmful or destructive force or substance that is not a weapon of mass destruction.
- (3) A violation of Subsection (2) is:

- (a) a first degree felony if the actor causes the catastrophe knowingly and by the use of a weapon of mass destruction;
  - (b) a second degree felony if the actor causes the catastrophe knowingly and by a means other than a weapon of mass destruction; and
  - (c) a class A misdemeanor if the actor causes the catastrophe recklessly.
- (4) In addition to any other penalty authorized by law, a court shall order an actor convicted of any violation of this section to reimburse any federal, state, or local unit of government, or any private business, organization, individual, or entity for all expenses incurred in responding to the violation, unless the court states on the record the reasons why the reimbursement would be inappropriate.

Amended by Chapter 166, 2023 General Session

## **UTAH CODE ANNOTATED -- TITLE 53-2A EMERGENCY MANAGEMENT ACT**

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*Effective 5/5/2021*

### **53-2a-204. Authority of Governor -- Federal assistance -- Fraud or willful misstatement in application for financial assistance -- Penalty.**

- (1) In addition to any other authorities conferred upon the governor, if the governor issues an executive order declaring a state of emergency, subject to limitation by the Legislature as described in Subsection 53-2a-206(5), the governor may:
- (a) utilize all available resources of state government as reasonably necessary to cope with a state of emergency;
  - (b) employ measures and give direction to state and local officers and agencies that are reasonable and necessary for the purpose of securing compliance with the provisions of this part and with orders, rules, and regulations made pursuant to this part;
  - (c) recommend and advise the evacuation of all or part of the population from any stricken or threatened area within the state if necessary for the preservation of life;
  - (d) recommend routes, modes of transportation, and destination in connection with evacuation;
  - (e) in connection with evacuation, suspend or limit the sale, dispensing, or transportation of alcoholic beverages, explosives, and combustibles, not to include the lawful bearing of arms;
  - (f) control ingress and egress to and from a disaster area, the movement of persons within the area, and recommend the occupancy or evacuation of premises in a disaster area;
  - (g) clear or remove from publicly or privately owned land or water debris or wreckage that is an immediate threat to public health, public safety, or private property, including allowing an employee of a state department or agency designated by the governor to enter upon private land or waters and perform any tasks necessary for the removal or clearance operation if the political subdivision, corporation, organization, or individual that is affected by the removal of the debris or wreckage:

- (i) presents an unconditional authorization for removal of the debris or wreckage from private property; and
  - (ii) agrees to indemnify the state against any claim arising from the removal of the debris or wreckage;
  - (h) enter into agreement with any agency of the United States:
    - (i) for temporary housing units to be occupied by victims of a state of emergency or persons who assist victims of a state of emergency; and
    - (ii) to make the housing units described in Subsection (1)(h)(i) available to a political subdivision of this state;
  - (i) assist any political subdivision of this state to acquire sites and utilities necessary for temporary housing units described in Subsection (1)(h)(i) by passing through any funds made available to the governor by an agency of the United States for this purpose;
  - (j) subject to Sections 53-2a-209 and 53-2a-214, temporarily suspend or modify by executive order, during the state of emergency, any public health, safety, zoning, transportation, or other requirement of a statute or administrative rule within this state if such action is essential to provide temporary housing described in Subsection (1)(h)(i);
  - (k) upon determination that a political subdivision of the state will suffer a substantial loss of tax and other revenues because of a state of emergency and the political subdivision so affected has demonstrated a need for financial assistance to perform its governmental functions, in accordance with Utah Constitution, Article XIV, Sections 3 and 4, and Section 10-8-6:
    - (i) apply to the federal government for a loan on behalf of the political subdivision if the amount of the loan that the governor applies for does not exceed 25% of the annual operating budget of the political subdivision for the fiscal year in which the state of emergency occurs; and
    - (ii) receive and disburse the amount of the loan to the political subdivision;
  - (l) accept funds from the federal government and make grants to any political subdivision for the purpose of removing debris or wreckage from publicly owned land or water;
  - (m) subject to Section 53-2a-217, upon determination that financial assistance is essential to meet expenses related to a state of emergency of individuals or families adversely affected by the state of emergency that cannot be sufficiently met from other means of assistance, apply for, accept, and expend a grant by the federal government to fund the financial assistance, subject to the terms and conditions imposed upon the grant;
  - (n) recommend to the Legislature other actions the governor considers to be necessary to address a state of emergency; or
  - (o) authorize the use of all water sources as necessary for fire suppression.
- (2) A person who fraudulently or willfully makes a misstatement of fact in connection with an application for financial assistance under this section shall, upon conviction of each offense, be subject to a fine of not more than \$5,000 or imprisonment for not more than one year, or both.

Amended by Chapter 437, 2021 General Session

Effective 5/4/2022

**53-2a-205. Authority of chief executive officers of political subdivisions  
-- Ordering of evacuations.**

- (1) (a) In order to protect life and property when a state of emergency or local emergency has been declared, subject to limitation by the Legislature as described in Subsection 53-2a-206(5), and subject to Section 53-2a-216, the chief executive officer of each political subdivision of the state is authorized to:
  - (i) carry out, in the chief executive officer's jurisdiction, the measures as may be ordered by the governor under this part; and
  - (ii) take any additional measures the chief executive officer may consider necessary, subject to the limitations and provisions of this part.
- (b) The chief executive officer may not take an action that is inconsistent with any order, rule, regulation, or action of the governor.
- (2) Subject to Section 53-2a-216, when a state of emergency or local emergency is declared, the authority of the chief executive officer includes:
  - (a) utilizing all available resources of the political subdivision as reasonably necessary to manage a state of emergency or local emergency;
  - (b) employing measures and giving direction to local officers and agencies which are reasonable and necessary for the purpose of securing compliance with the provisions of this part and with orders, rules, and regulations made under this part;
  - (c) if necessary for the preservation of life, issuing an order for the evacuation of all or part of the population from any stricken or threatened area within the political subdivision;
  - (d) recommending routes, modes of transportation, and destinations in relation to an evacuation;
  - (e) suspending or limiting the sale, dispensing, or transportation of alcoholic beverages, explosives, and combustibles in relation to an evacuation, except that the chief executive officer may not restrict the lawful bearing of arms;
  - (f) controlling ingress and egress to and from a disaster area, controlling the movement of persons within a disaster area, and ordering the occupancy or evacuation of premises in a disaster area;
  - (g) clearing or removing debris or wreckage that may threaten public health, public safety, or private property from publicly or privately owned land or waters, except that where there is no immediate threat to public health or safety, the chief executive officer shall not exercise this authority in relation to privately owned land or waters unless:
    - (i) the owner authorizes the employees of designated local agencies to enter upon the private land or waters to perform any tasks necessary for the removal or clearance; and
    - (ii) the owner provides an unconditional authorization for removal of the debris or wreckage and agrees to indemnify the local and state government against any claim arising from the removal; and

- (h) invoking the provisions of any mutual aid agreement entered into by the political subdivision.
- (3) (a) If the chief executive is unavailable to issue an order for evacuation under Subsection (2)(c), the chief law enforcement officer having jurisdiction for the area may issue an urgent order for evacuation, for a period not to exceed 36 hours, if the order is necessary for the preservation of life.
  - (b) The chief executive officer may ratify, modify, or revoke the chief law enforcement officer's order.
- (4) Notice of an order or the ratification, modification, or revocation of an order issued under this section shall be:
  - (a) given to the persons within the jurisdiction by the most effective and reasonable means available; and
  - (b) filed in accordance with Subsection 53-2a-209(1).

Amended by Chapter 39, 2022 General Session

## **UTAH CODE ANNOTATED — TITLE 53-7 MISCELLANEOUS**

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*Effective 2/27/2023*

### **53-7-104. Enforcement of state fire code and rules -- Division of authority and responsibility.**

- (1) The authority and responsibility for enforcing the state fire code and rules made under this chapter is divided as provided in this section.
- (2) The fire officers of any city or county shall enforce the state fire code and rules of the state fire marshal in their respective areas.
- (3) The state fire marshal may enforce the state fire code and rules in:
  - (a) areas outside of corporate cities, fire protection districts, and other special districts or special service districts organized for fire protection purposes;
  - (b) state-owned property, school district owned property, and privately owned property used for schools located within corporate cities and county fire protection districts, asylums, mental hospitals, hospitals, sanitariums, homes for the aged, residential health-care facilities, children's homes or institutions, or similar institutional type occupancy of any capacity; and
  - (c) corporate cities, counties, fire protection districts, and special service districts organized for fire protection purposes upon receiving a request from the chief fire official or the local governing body..

Amended by Chapter 16, 2023 General Session

### **53-7-210. Fire investigations by local officers -- Notification to division.**

- (1) The chief fire officer of any city, town, or county fire department, or of any fire district or special service district organized for fire protection purposes, or his authorized representative shall investigate the cause, origin, and circumstances

of each fire occurring in his jurisdiction when property has been destroyed or damaged.

- (2) The fire officer shall:
  - (a) begin the investigation immediately after the occurrence of the fire; and
  - (b) attempt to determine, among other things, whether the fire was the result of carelessness or of design.
- (3) If the fire officer making this investigation determines that the fire appears to be suspicious, or of unknown origin, the officer may notify the Division to request assistance.

Amended by Chapter 25, 2001 General Session

## **UTAH CODE ANNOTATED -- TITLE 17 COUNTIES**

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*Effective 5/12/2020*

### **17-53-208. Ordinances -- Effective dates -- Publication -- Adoption of ordinances printed in book form -- Review of nuisance ordinances.**

- (1) The enacting clause of an ordinance adopted by the county legislative body shall be as follows: "The County Legislative Body of \_\_\_\_\_ County ordains as follows:".
  - (2) (a) The chair of the county legislative body shall sign, and the county clerk shall attest to, each ordinance.
    - (b) If the county legislative body votes to adopt an ordinance, county staff shall:
      - (i) record the vote of each county legislative body member in attendance and enter each vote in the minutes of the meeting; and
      - (ii) enter the full text of the adopted ordinance in the county ordinance book.
  - (3) (a) No ordinance passed by the county legislative body may take effect within less than 15 days after its passage.
    - (b) The county legislative body shall, before the ordinance may take effect:
      - (i) deposit a copy of the ordinance in the office of the county clerk; and
      - (ii) (A) publish a short summary of the ordinance, together with a statement that a complete copy of the ordinance is available at the county clerk's office and with the name of the members voting for and against the ordinance:
        - (I) for at least one publication in:
          - (Aa) a newspaper published in and having general circulation in the county, if there is one; or
          - (Bb) if there is none published in the county, in a newspaper of general circulation within the county; and
        - (II) as required in Section 45-1-101; or
      - (B) post a complete copy of the ordinance in nine public places within the county.
- (4) Any ordinance printed by authority of the county legislative body in book form or electronic media, or any general revision of county ordinances printed in book form or electronic media, may be adopted by an ordinance making reference to

the printed ordinance or revision if a copy of the ordinance or revision is filed in the office of the county clerk at the time of adoption for use and examination by the public.

- (5) If the county legislative body adopts an ordinance establishing rules and regulations, printed as a code in book form or electronic media, for the construction of buildings, the installation of plumbing, the installation of electric wiring, or other related or similar work, the county legislative body may adopt the ordinance by reference to the code book if a copy of the code book is filed in the office of the county clerk at the time of the adoption of the ordinance for use and examination by the public.
- (6) If, in the opinion of the county legislative body, an ordinance is necessary for the immediate preservation of the peace, health, or safety of the county and the county's inhabitants, the ordinance may, if clearly stated in the ordinance, take effect immediately upon publication in one issue of a newspaper published in and having general circulation in the county, if there is one, and if there is none published in the county, then immediately after posting at the courthouse door.
- (7) An ordinance may take effect at a later date than provided in this section, if the ordinance clearly states the later effective date.
- (8) An order entered in the minutes of the county legislative body that an ordinance has been duly published or posted shall be prima facie proof of the publication or posting.

Amended by Chapter 89, 2020 General Session

## **UTAH CODE ANNOTATED -- TITLE 19 ENVIRONMENTAL QUALITY CODE**

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*Effective 5/3/2023*

### **19-2a-105. Prescribed fires, pile burns, and nonfull suppression events.**

- (1) As used in this section:
  - (a) "Board" means the Air Quality Board.
  - (b) "Burn plan" means the plan required for each fire application ignited by a land manager.
  - (c) "Burn window" means the period of time during which the prescribed fire is scheduled for ignition.
  - (d) "Director" means the director of the division.
  - (e) "Division" means the Division of Air Quality created in Section 19-1-105.
  - (f) "Exceptional event" means one or more prescribed burning or pile burning events and the resulting emissions that affect air quality in such a way that there exists a clear causal relationship between the specific event and the monitored exceedance or violation.
  - (g) "Land manager" means a person who administers, directs, oversees, or controls the use of public or private land, including the application of fire to the land.



- (h) "Large prescribed fire" means a fire that a land manager ignites to meet a specific objective, including a resource benefit that covers 20 acres or more per burn.
  - (i) "Large prescribed pile fire" means a fire that a land manager ignites to meet a specific objective, including a resource benefit, that exceeds 30,000 cubic feet per day.
  - (j) "Nonfull suppression event" means a naturally ignited wildland fire for which a land manager secures less than full suppression to accomplish a specific prestated resource management objective in a predefined geographic area.
  - (k) "Pile burning" means a fire or fires that a land manager ignites for fuel mitigation designed to reduce the risk of catastrophic fire, improve ecological health, and prevent dangerous wildfires by burning piled or scattered leaves, pine needles, downed trees, natural woody debris, thick vegetation, or similar organic material left behind after logging or other forest treatments.
  - (l) "Prescribed burning" means the planned and controlled burning of plant material in order to minimize the risk of catastrophic wildfire or to meet specific land management objectives.
  - (m) "Wildland" means an area in which development is essentially nonexistent other than the existence of a pipeline, power line, road, railroad, or other transportation or conveyance facility or one or more structures that are widely scattered.
- (2) (a) The division may not permit a land manager to conduct a large prescribed fire or large prescribed pile fire if the land manager does not comply with the rules made by the board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (b) In the rules made by the board under this Subsection (2), the board shall require the land manager to:
- (i) describe the use of a state, county, or municipal resource in the large prescribed fire or large prescribed pile fire;
  - (ii) provide the division the burn plan for a large prescribed fire or large prescribed pile fire by no later than one week before the day of the burn window; and
  - (iii) notify the division of a nonfull suppression event once a fire becomes a nonfull suppression event.
- (3) The director shall approve a prescribed burning or pile burning in wildland areas and the prescribed burning or pile burning may be conducted under the following conditions:
- (a) the United States National Weather Service clearing index in the area of the burn is 500 or greater;
  - (b) the United States National Weather Service clearing index in the area of the burn is less than 500, and to maximize the opportunities for prescribed burning or pile burning the director approves a prescribed burning or

- pile burning after the land manager demonstrates to the director that the planned prescribed burning or pile burning will:
- (i) not cause an exceedance of a national ambient air quality standard outside the wildland area;
  - (ii) minimize the long range transport of smoke; and
  - (iii) protect visibility in mandatory federal class 1 areas; or
- (c) the United States National Weather Service clearing index in the burn area is less than 500 and the prescribed burning or pile burning may cause an exceedance of a national ambient air quality standard outside the wildland area if the land manager demonstrates to the director that the prescribed burning or pile burning fuel conditions are optimal to:
- (i) protect safety of the public and fire staff;
  - (ii) minimize the risk of catastrophic fire;
  - (iii) achieve necessary watershed and ecological conditions; and
  - (iv) establish, restore, or maintain a sustainable and resilient wildland ecosystem or to preserve endangered or threatened species through a program of prescribed burning or pile burning.
- (4) The director shall approve a prescribed burning or pile burning to reduce hazardous fuels for public safety in areas not defined as wildland and the prescribed burning or pile burning may be conducted under the following conditions:
- (a) the United States National Weather Service clearing index in the area of the burn is 500 or greater; or
  - (b) the United States National Weather Service clearing index in the area of the burn is less than 500, and to maximize the opportunities for prescribed burning or pile burning the director approves a prescribed burning or pile burning after the land manager:
    - (i) provides a demonstration that includes an assessment of the impact to local receptors;
    - (ii) implements measures to notify residents; and
    - (iii) minimizes residents exposure to smoke.
- (5) The director shall approve a prescribed burning or pile burning for resource management purposes in areas not defined as wildland and the prescribed burning or pile burning may be conducted under the following conditions:
- (a) the United States National Weather Service clearing index in the area of the burn is 500 or greater; or
  - (b) the United States National Weather Service clearing index in the area of the burn is less than 500, and to maximize the opportunities for prescribed burning or pile burning the director approves a prescribed burning or pile burning after the land manager demonstrates that the planned prescribed burning or pile burning will:
    - (i) not cause an exceedance of a national ambient air quality standard;
    - (ii) minimize the long range transport of smoke; and
    - (iii) protect visibility in mandatory federal class 1 areas.

- (6) The division shall make the necessary filings with the United States Environmental Protection Agency if a prescribed burning or pile burning approved by the director results in an exceptional event.

Renumbered and Amended by Chapter 57, 2023 General Session

## **ADMINISTRATIVE RULES**

**Date of Enactment or Last Substantive Amendment: January 10, 2017**

### **R652-1. DEFINITION OF TERMS.**

#### **R652-1-100. AUTHORITY.**

This rule implements Section 65A-1-4(2) which authorizes the Division of Forestry, Fire and State Lands to provide definitions which apply to all rules promulgated by the division unless otherwise provided.

#### **R652-1-200. DEFINITIONS.**

1. Animal unit (AU): is equal to one cow and calf or their equivalent.
2. Beneficiaries: the citizens of the state of Utah.
3. Beds of navigable lakes and streams: the lands lying under or below the "ordinary high water mark" of a navigable lake or stream.
4. Carrying capacity: the acreage required to adequately provide forage for an animal unit (AU) for a specified period without inducing range deterioration.
5. Commercial gain: compensation, in money, in services, or other valuable consideration rendered or products provided.
6. Comprehensive Management Plans: plans prepared for sovereign lands that guide the implementation of sovereign land management objectives.
7. Cooperative Agreement: an agreement between the Division and an eligible entity wherein the eligible entity agrees to meet a Participation Commitment and provide Initial Attack for wildland fire, and FFSL agrees to pay for wildland fire suppression costs following a Delegation of Fire Management Authority as found in Utah Code Section 65A-8-203.1, as well as all aviation asset costs charged to the incident.
8. Cultural Resources: prehistoric and historic materials, features, artifacts.
9. Cultural Resource Survey:
  - (a) Class I: literature and site files search.
  - (b) Class II: sample field surface survey or inspection.
  - (c) Class III: intensive field surface survey.
10. Director: the director of the Division of Forestry, Fire and State Lands
11. Division: Division of Forestry, Fire and State Lands
12. Easements: a right to use or restrict use of land or a portion of a real property interest in the land for a particular purpose granted by the division to a qualified

applicant including but not limited to transmission lines, canals and ditches, pipelines, tunnels, fences, roads and trails.

13. Eligible entity: a county, a municipality, or a special service district, local district or service area with:
  - (a) wildland fire suppression responsibility as described in Section 11-7-1; and
  - (b) wildland fire suppression cost responsibility and taxing authority for a specific geographic jurisdiction; or
  - (c) upon approval by the director, a political subdivision established by a county, municipality, special service district, local district, or service area that is responsible for:
    - (i) providing wildland fire suppression services; and
    - (ii) paying for the cost of wildland suppression services.
14. Initial attack: actions taken by the first resources to arrive at a wildland fire incident, including size-up, patrolling, monitoring, holding action, or aggressive suppression action.
15. Management Plans: Comprehensive Management Plans, Resource Plans and Site-Specific Plans.
16. Municipality: a city, town, or metro township.
17. Ordinary high water mark: the high water elevation in a lake or stream at the time of statehood, uninfluenced by man-made dams or works, at which elevation the water impresses a line on the soil by covering it for sufficient periods to deprive the soil of its vegetation and destroy its value for agricultural purposes or other tests as may be applied by the courts. This "ordinary high water mark" may not have been adjudicated in the courts.
18. Paleontological Resources (fossils): the remains or traces of organisms, plant or animal, that have been preserved by various means in the earth's crust.
19. Paleontological Resource Survey: an evaluation of the scientific literature or previous paleontological survey reports to assess the potential for discovery or impact to fossils by a proposed development, followed by a pedestrian examination of the exposed geological formations suspected of containing fossils of significance.
20. Paleontological Site: an exposure of a geologic formation having fossil evidence of scientific value as determined by professional consensus.
21. Participation Commitment: prevention, preparedness, and mitigation actions and expenditures approved by the Division undertaken by a participating entity to reduce the risk of wildland fire.
22. Participating Entity: an eligible entity with a cooperative agreement.
23. Planning Unit: the geographical basis of a general or comprehensive management plan; a consolidated block of state land, or a group of isolated state land sections or parts thereof, or a combination of blocks and isolated sections which provide common management opportunities or which have common commercial gain, natural or cultural resource concerns.

24. Preliminary Development Plan: the submittal, both of maps and written material, which shall identify and determine the extent and scope on a proposed unit development of the entire acreage under application. It shall illustrate, in phases, the development of the entire acreage and include a time table of the estimated schedule of development. The preliminary development plan shall identify density, open space, environmental reserves, site features, services and utilities, land ownerships, local master planning, zoning compliance and basic engineering feasibility.
25. Preliminary Development Plat: a plat which shall outline and specify the number of dwelling units, the type of dwelling units, the anticipated location of the transportation systems and description of water and sewage systems for the developed area on a Unit Development Lease.
26. State lands: all lands administered by the division.
27. Range condition: the relation between current and potential condition of the range site.
28. Record of Decision: a written finding describing a division action, relevant facts, and the basis upon which the decision for action was made.
29. Resource Plans: a plan prepared for a specific resource, such as mining, timber, grazing or real estate.
30. Rights-of-Entry: a right to a specific, non-depleting land use granted by the division to a qualified applicant that is temporary in nature, generally not to exceed one year in duration, including but not limited to seismic and land surveys, research sites, access across sovereign lands, and other temporary types of land uses.
31. Significant site: any site which is designated by the Division of State History as scientifically worthy of specific management.
32. Site: archaeological and cultural sites are places of prehistoric and historic human activity including aboriginal mounds, forts, buildings, earth works, village locations, burial grounds, ruins, caves, petroglyphs, pictographs, or other locations which are the source of prehistoric cultural features and specimens.
33. Site Specific Plans: plans prepared for sovereign lands which provide direction for specific actions. Site-specific plans shall include Records of Decision in either narrative or summary form.
34. Sovereign lands: those lands lying below the ordinary high water mark of navigable bodies of water at the date of statehood and owned by the state by virtue of its sovereignty or land received in exchange for sovereign lands.
35. Survey Report: report of the various site files and field surveys or inspections.
36. Wildland: an area where:
  - (a) development is essentially non-existent, except for roads, railroads, power line or similar transportation facilities; and
  - (b) structures, if any, are widely scattered.
37. Wildland fire: a fire that consumes:

- (a) wildland; or
- (b) Wildland-urban interface, as defined in Section 65A-8a-102.

**Date of Enactment or Last Substantive Amendment: January 10, 2017**

## **R652-120. WILDLAND FIRE RESPONSIBILITIES.**

### **R652-120-100. AUTHORITY AND PURPOSE.**

This rule is adopted pursuant to the authority of Subsection 65A-1-4(2), which requires the Division to promulgate rules, and by Section 65A-8-101 et seq., which requires the Division to determine and execute the best method for fire control and the preservation of forest, watershed, and other lands, and to enter into agreements related to fire protection.

### **R652-120-200. RESPONSIBILITIES OF DIVISION.**

1. The division in consultation with local authorities, the division shall determine and execute the best method for protecting private and public property by:
  - (a) except as provided by Subsection (1), preventing, preparing for, or mitigating the origin and spread of fire on nonfederal forest, range, watershed or wildland urban interface land in the state;
  - (b) encouraging a private landowner to conserve, protect, and manage forest or other land throughout the state;
  - (c) taking action the division considers appropriate to manage wildland fire and protect life and property on the non-federal forest, range, watershed, or wildland urban interface land within the state.
  - (d) implementing a limited fire suppression strategy, including allowing a fire to burn within limited or modified suppression, if the division determines the strategy is appropriate for a specific area or circumstance.
  - (e) the state forester shall make certain that appropriate action is taken to control wildland fires on unincorporated non-federal forest, range, watershed and wildland urban interface lands.
2. The division may enter into a cooperative agreement with a county, municipality, or other eligible entity to provide financial and wildland fire management assistance.

### **R652-120-300. RESPONSIBILITIES OF COUNTIES.**

1. A county shall abate the public nuisance caused by wildfire on unincorporated, privately owned or county owned forest, range, watershed, and wildland urban interface lands within its boundaries.
  - (a) reduce the risk of wildfire to unincorporated, privately owned or county owned forest, range, watershed, and wildland urban interface land within the county's boundaries, with private landowner permission, through appropriate wildfire prevention, preparedness, and mitigation actions; and

- (b) ensure effective wildfire initial attack on unincorporated privately owned or county owned forest, range, watershed, and wildland urban interface land within the county's boundaries.
  - (c) a county may assign the responsibilities described in Subsections (a) and (b) to a fire service provider or an eligible entity through delegation, contract, interlocal agreement or another method.
2. In a county that has not entered into a cooperative agreement as described in Section 65A-8-203 the county sheriff shall take appropriate action to suppress wildfires on state or private lands.
  3. In all cases the sheriff shall:
    - (a) report, as prescribed by the state forester, on wildland fire control action;
    - (b) investigate and report wildfire causes; and
    - (c) enforce the provisions of this rule either independently or in cooperation with the state forester.
  4. A county that has entered into a cooperative agreement, as described in 65A-8-203 and R652-120-600, the primary responsibility for wildfire management is the division, upon the delegation of fire management authority as described in 65A-8-203.1 and R652-120-1200.
  5. The county sheriff and the county sheriff's organization shall maintain cooperative support with the fire management organization.
  6. Each county that participates in a cooperative agreement with the division as described in 65A-8-203 and R652-120-600(5), shall be represented by a county fire warden at minimum during the closed fire season, as described in Section 65A-8-211, except as provided in Subsections (1)(b) and (c).
  7. A county may enter into a cooperative agreement with the division to receive financial and wildland fire management cooperation and assistance.

## **R652-120-400. RESPONSIBILITIES OF MUNICIPALITIES.**

1. A municipality shall abate the public nuisance caused by wildfire on forest, range, watershed, and wildland urban interface lands within the boundaries of the municipality if the land is privately owned or owned by the municipality.
  - (a) reduce the risk of wildfire to unincorporated, privately owned or municipality owned forest, range, watershed, and wildland urban interface land, with private landowner permission, through appropriate wildfire prevention, preparedness, and mitigation actions; and
  - (b) ensure effective wildfire initial attack on unincorporated privately owned or municipality owned forest, range, watershed, and wildland urban interface land within the municipality's fire protection boundaries.
  - (c) a municipality may assign the responsibilities described in Subsections (a) and (b) to a fire service provider or an eligible entity through delegation, contract, interlocal agreement or another method.
2. A municipality may enter into a cooperative agreement with the division to receive financial and wildland fire management cooperation and assistance.

## **R652-120-500. BURNING PERMITS.**

1. Burning permits shall be issued only by the following authorized officials: state forester, his staff, and persons designated by the state forester. Burning permits are required for open fires during the closed fire season as specified in Section 65A-8-211 and during any extension of the closed fire season proclaimed by the state forester.
2. The permit form, provided by the state forester, shall be filled out completely and in accordance with instructions determined and furnished by his office.
3. Permittees shall comply with any written restrictions or conditions imposed with the granting of the permit.
4. The permittee shall sign the permit form.
5. Burning permits will be issued only when in compliance with the Utah Air Conservation Regulations. The following requirements must be met with each burning permit issued:
  - (a) The permit is not valid and operative unless the Clearing Index is 500 or above. The clearing index is determined daily by the U.S. Weather Bureau and available from county health offices, the State Forester's Office or Area Offices of the Utah State Department of Health.
  - (b) A permit may be extended one day at a time, without inspection upon request to the issuing officer. The request must be made before the expiration of the permit.
6. Agriculture has a limited exemption to open burning restrictions for the Division of Forestry, Fire and State Lands rules as indicated in Section 65A-8-211 and the Utah Air Conservation Regulations as outlined in Section 19-2-114.
7. Burning permits shall not be issued when red flag conditions exist or are forecasted by the National Weather Service. Every permittee is required to contact the National Weather Service to assure that a red flag condition does not exist or is not forecasted. Permits are not valid or operative during declared red flag conditions.

## **R652-120-600. LIMITED SUPPRESSION AREAS.**

1. The division may establish fire management areas where the level and degree of suppression activities are to be commensurate with the value of the resources within the fire management area.
2. Fire management plans shall be available for public review and comment prior to implementation.
3. County commission approval is required for any fire management plan that provides for limited fire suppression action on private lands within a fire management area.



## **R652-120-700. PRESCRIBED FIRE.**

1. All prescribed burns utilizing division assistance other than permitting must have a written burn plan that has been reviewed and approved by the division. Burn plans shall include at a minimum information to determine management objectives and procedures to attain the objectives. Data will be provided to deal with safety concerns and smoke management. The burn plan will detail needs to insure the prescribed burn occurs within prescription.
2. A private landowner or state lessee/permittee receiving assistance on a prescribed fire shall supply resources specified in the burn plan.
3. Fire-fighting equipment placed by the division in any county for fire protection purposes cannot be required to assist or be fully committed to a prescribed fire, but may be utilized as available.

## **R652-120-800. MANAGEMENT FOR CULTURAL RESOURCES AND THREATENED AND ENDANGERED SPECIES.**

Cultural resources, paleontological resources, and threatened and endangered species which may be affected by a proposed prescribed fire or within a fire management plan will be considered, protected or mitigated, as may be required and practical.

**Date of Enactment or Last Substantive Amendment: January 10, 2017**

## **R652-121. WILDLAND FIRE SUPPRESSION FUND.**

### **R652-121-100. AUTHORITY.**

This rule implements Article XVIII of the Utah Constitution and Section 65A-8-204 and provides for administration of the Wildland Fire Suppression Fund under the authority of Section 65A-8-207.

### **R652-121-200. WILDLAND SUPPRESSION FUND.**

1. The Wildland Fire Suppression Fund may be used to pay the costs of wildland fire suppression on state-owned land and for wildland fire suppression costs except initial attack costs on non-federal land within the jurisdiction of a county, municipality, or other eligible entity that has entered into a cooperative agreement with the Division and is complying with the terms of the cooperative agreement.
2. A county, municipality, or other eligible entity without a cooperative agreement or one with a revoked cooperative agreement shall be responsible to pay for all wildland fire suppression costs on non-federal land within its jurisdiction within 90 days after receiving a bill from the Division for such costs, subject to a right to an informal appeal to the State Forester. Any appeal must be submitted to the Division in writing within 90 days of receiving the bill. The State Forester may conduct an investigation, hold an informal hearing, or request additional information before making a final decision.

### **R652-121-300. PAYMENT OF WILDLAND FIRE SUPPRESSION FUND COSTS.**

1. After an eligible entity has entered into a cooperative agreement with the Division, all wildland fire suppression costs beyond initial attack within the jurisdiction of the eligible entity will be paid by the Wildland Fire Suppression Fund.
2. Area managers will verify to the state forester in writing that an eligible entity has a cooperative agreement.
3. Each participating entity must make a good faith effort to recover suppression costs for negligently-caused wildland fires. If the participating eligible entity refuses to make a good faith effort to recover suppression costs from a negligent party for a wildland fire without approval from the State Forester, the suppression costs for that fire shall not be eligible for payment from the Wildland Fire Suppression Fund. The State Forester will determine if a good faith effort has been made to recover suppression cost.
4. Wildland fire suppression costs recovered under Section 65A-3-3 will be repaid to the Wildland Fire Suppression Fund.

### **R652-121-400. REVOCATION OF PARTICIPATION IN FUND.**

1. Participation in the Wildland Fire Suppression Fund may be revoked for failure to:
  - (a) enter into a cooperative agreement with the Division,
  - (b) comply with the terms of the cooperative agreement with the Division; or
  - (c) fulfill its participation commitment.
2. The division will notify a participating entity in writing of any breach of the cooperative agreement.
3. Failure to remedy a breach may result in revocation of the entity's cooperative agreement pursuant to the terms of the cooperative agreement which shall preclude participation in the Wildland Fire Suppression Fund.
4. The revocation decision may be informally appealed to the State Forester within 30 days of the notice. The State Forester may conduct an investigation, hold an informal hearing, or request additional information. The final decision of the State Forester will be sent to the entity.

### **R652-121-500. WITHDRAWAL FROM PARTICIPATION IN FUND.**

1. An entity may withdraw from participation in the fund by revoking its cooperative agreement the end of the agreement's term by:
  - (a) informing the division, in writing, of the eligible entity's intention to revoke the cooperative agreement; or
  - (b) failing to sign and return its annual financial statement as described in R652-120-400(5)(e), unless an extension has been granted by the Division.

## **R652-121-600. REINSTATEMENT OF PARTICIPATION IN FUND.**

1. An eligible entity that voluntarily withdrew participation in the Wildland Fire Suppression Fund pursuant to R652-121-500 may enter into a new cooperative agreement with the Division and become a participating entity.
2. An eligible entity whose participation in the Wildland Fire Suppression Fund was revoked by the division pursuant to R652-121-400 may enter into a new cooperative agreement with the Division and become a participating entity only after remedying the breach that resulted in the revocation. If the revocation was due to failure to fulfill the participation commitment for one or more years, the eligible entity shall agree to fulfill the previous participation commitments during the first three-year term of the new cooperative agreement in addition to the participation commitments for each year of the cooperative agreement.

**Date of Enactment or Last Substantive Amendment: January 10, 2017**

## **R652-122. COOPERATIVE AGREEMENTS.**

### **R652-122-100. AUTHORITY.**

This rule implements subsection 65A-8-203(5)(b), which authorizes the Division to make rules concerning cooperative agreements; subsection 65A-8-203(4)(a) and subsection 65A-8-203(3)(b) which require the Division to establish minimum standards for a county wildland fire ordinance and to specify minimum standards for wildland fire training, certification, and wildland fire suppression equipment; subsection 65A-8-203.1, which defines delegation of fire management authority, and Section 65A-8-203.2, which concerns billing for costs of wildland fire suppression for counties or municipalities that do not have a cooperative agreement with the Division.

### **R652-122-200. COOPERATIVE AGREEMENTS.**

1. The governing body of any eligible entity, as defined in R652-1-200(13), may enter into a cooperative agreement with the division to receive financial and wildfire management cooperation and assistance, as described in 65A-8-2, Fire Control.
2. The Division shall determine the provisions of the cooperative agreement consistent with statutory requirements.
3. A cooperative agreement shall last for a term of no more than five years and be renewable if the eligible entity continues to meet the requirements.
4. An eligible entity may not receive financial cooperation or financial assistance until the cooperative agreement is executed by the eligible entity and the division.
  - (a) the state shall assume an eligible entity's cost of suppressing catastrophic wildfire as defined in the cooperative agreement if the eligible entity has entered into, and is in full compliance with the cooperative agreement with the division.

5. A county or municipality that has not entered into a cooperative agreement with the division, as described herein, or whose Cooperative Agreement has been revoked shall be responsible for wildland fire costs within the county or municipality jurisdiction as outlined in R652-120-1000.
6. In order to enter into a cooperative agreement an eligible entity shall:
  - (a) if the eligible entity is a county, adopt and enforce unincorporated land and wildland fire ordinance based upon minimum standards established by the division or Uniform Building Code Commission.
  - (b) agree to require that the fire department or equivalent fire service provider under contract with, or delegated by, the eligible entity on unincorporated land meet the minimum standards for wildland fire training, certification and suppression equipment based upon nationally accepted standards as specified by the division;
  - (c) agree to a participation commitment which requires investment in prevention, preparedness, and mitigation efforts as agreed to with the division intended to reduce the eligible entity's risk of catastrophic wildfire;
  - (d) agree to file with the division an annual accounting of wildfire prevention, preparedness, mitigation actions, and associated costs.
  - (e) agree to return the financial statement described in Subsection (6), signed by the chief executive officer of the eligible entity, to the division on or before the date set by the division.
  - (f) if the eligible entity is a county, agree to have a designated fire warden as described in 65A-8-209.1.
7. The division shall:
  - (a) send an Annual Statement to each eligible entity that details the eligible entity's participation commitment for the coming fiscal year, including the preparedness, prevention, and mitigation actions agreed to in Subsection 6(c).
  - (b) financial statements shall be effective for one calendar year, beginning on the date set by the division.

### **R652-122-300. DETERMINATION OF PARTICIPATION COMMITMENT.**

1. The Division shall determine a participation commitment for each entity with a cooperative agreement participating in the wildland fire suppression fund.
2. The participation commitment will be calculated by adding the Risk Assessment by Acres to the Historic Fire Cost Average in each jurisdiction.
3. An entity may appeal the participation commitment determination to the State Forester by informing the division in writing of the entity's disagreement with the Division's determination and stating the reasons for the disagreement.
4. The State Forester may hold an informal hearing or request additional information. After deliberation, the State Forester shall make a final determination of the participation commitment and communicate it to the entity.

### **R652-122-400. DETERMINATION OF RISK ASSESSMENT BY ACRES.**

1. The Risk Assessment by Acres is calculated using the Division's "Utah Wildfire Risk Assessment Portal" (UWRAP).
  - (a) county "high risk" (red) acres are assessed at \$0.40/acre and county "medium risk" (yellow) acres are assessed at \$0.30/acre.
  - (b) municipal "high risk" (red) acres are assessed at \$3.50/acre and municipal "medium risk" (yellow) acres are assessed at \$2.00/acre
2. UWRAP will be updated every two years by FFSL, as data sources and technology allow, to maintain the most current and defensible risk assessment.

### **R652-122-500. DETERMINATION OF HISTORIC FIRE COST AVERAGE.**

1. Only wildfire suppression costs that are accrued and paid by the State on behalf of a participating entity are counted toward that entity's Historic Fire Cost Average, this includes State-paid costs after a Delegation of Fire Management Authority and Transfer of Fiscal Responsibility has occurred.
2. The historic fire cost average is calculated on a rolling ten-year average, dropping the highest and lowest cost years and adjusting for inflation (using the CPI); therefore, each ten-year average will have eight data points.
3. The historic fire cost average includes only suppression costs for which that entity who has fire suppression responsibility and taxation authority.
4. A county's historic fire cost average will only include state-paid suppression costs on all unincorporated land other than federal and state.
5. A municipality's historic fire cost average will only include state-paid suppression costs on all incorporated land other than federal and state.
6. An entity with both county and municipality responsibilities will include state paid suppression costs on all unincorporated land other than federal, within a county and state paid suppression costs on all incorporated land other than federal, within their jurisdiction.

### **R652-122-600. ANNUAL PARTICIPATION COMMITMENT REPORT.**

1. An entity may meet its participation commitment requirement either through direct expenditure of funds, or by "in-kind" expenditures in support of prevention, preparedness, or mitigation efforts including, but not limited to, prevention material costs, fuels crew labor costs, and other expenditures determined by the Division to be eligible towards the participation commitment.
2. The participating entity is responsible to record and account for its participation commitment actions and expenditures and to provide an annual accounting to the Division for review and approval.
3. The participating entity shall provide an annual participation commitment report to the Division detailing the actual expenditures and activities in compliance with the participation commitment during the fiscal year.

4. The Division may request additional information related to participation expenditures and actions.

### **R652-122-700. PARTICIPATION COMMITMENT CARRY OVER.**

1. The value of Participation Commitment actions may, in certain instances, “carry-over” to the next fiscal year with the approval of the respective FFSL Area Manager.
2. It is the responsibility of the Participating Eligible Entity to receive approval from their respective FFSL Area Manager in advance of pursuing a carry-over and account for, track and report the carry-over from year to year.
3. Decisions of the Area Manager may be appealed to the State Forester. The State Forester may hold a hearing or request additional information before making a final decision.

### **R652-122-800. ANNUAL PARTICIPATION COMMITMENT STATEMENT.**

1. Every year, after the fire business and accounting for the prior year is finalized, the Division will send to each participating eligible entity an Annual Financial Statement containing the determination of the calculated Participation Commitment for the entity’s coming fiscal year.
2. The Participating Eligible entity’s chief executive officer must then sign and return the Annual Participation Commitment Statement to the Division by a due date determined by the Division, thereby acknowledging the entity’s participation for the coming fiscal year.
3. Unless the division has approved an extension, if an entity fails to return the signed Annual Participation Commitment Statement to the Division by the due date, the cooperative agreement shall be considered revoked and the entity shall be withdrawn from participation in the wildland fire suppression fund.

### **R652-122-900. REVOCATION OF COOPERATIVE AGREEMENT.**

1. An eligible entity may revoke a cooperative agreement before the end of the agreement’s term by:
  - (a) informing the division, in writing, of the eligible entity’s intention to revoke the cooperative agreement; or
  - (b) failing to sign and return its annual participation commitment statement as described in R652-120-400(5)(e), unless an extension has been granted by the division.
2. A cooperative agreement may not be revoked before the end of the fiscal year if the participating entity signed and returned an Annual Participation Commitment Statement. The revocation will be effective the next fiscal year.
3. The Division may revoke a cooperative agreement only pursuant to Division rules and the terms of the cooperative agreement.

4. An eligible entity whose cooperative agreement has been revoked shall be responsible for the costs of wildfire suppression within its jurisdiction for any time period during which the entity failed to meet the requirements of the cooperative agreement.

### **R652-122-1000. ALLOCATION OF WILDLAND FIRE SUPPRESSION COSTS TO ENTITY WITHOUT VALID COOPERATIVE AGREEMENT.**

1. The division shall bill an entity that has not entered into a cooperative agreement with the division as described in Section 65A-8-203, or whose agreement has been revoked pursuant to R652-121-900, for the cost of wildfire suppression accrued by the state within the jurisdiction of that entity.
2. The cost of wildfire suppression to an entity that has not entered into a cooperative agreement with the division as described in Section 65A-8-203, or whose agreement has been revoked pursuant to R652-121-900, shall be calculated by determining the number of acres burned within the borders of the entity, dividing that number by the total number of acres burned by a wildfire, and multiplying the resulting percentage by the state's total cost of wildfire suppression for that wildfire.
3. An entity that receives a bill from the division, pursuant to these rules, shall pay the bill, or make arrangements to pay the bill, within 90 days of receipt of the bill, subject to the entity's right to appeal, as described in Subsection 65A-8-203(5)(b)(vi).

### **R652-122-1100. ACCOUNTING SYSTEM FOR DETERMINING SUPPRESSION COSTS.**

Suppression costs for a wildland fire shall be calculated by determining the number of acres burned within the jurisdictional boundary of the entity, dividing that number by the total number of acres burned by a wildfire, and multiplying the resulting percentage by the state's total cost of wildfire suppression for that wildfire.

### **R652-122-1200. DELEGATION OF FIRE MANAGEMENT AUTHORITY.**

1. Delegation of Fire Management Authority occurs when:
  - (a) State or Federally owned lands are involved in the incident; or,
  - (b) firefighting resources are ordered through an Interagency Fire Center (beyond "pre-planned dispatch"); or,
  - (c) at the request of the participating entity (local fire official on scene) having jurisdiction; or,
  - (d) at the discretion of the State Forester after consultation with local authorities.

### **R652-122-1300. MINIMUM STANDARDS FOR COUNTY WILDLAND FIRE ORDINANCE.**

1. The division uses the International Urban Wildland Interface Code as a basis for establishing the minimum standards discussed in this document.

2. The Division incorporates by reference the 2003 International Code Council Urban-Wildland Interface Code as the minimum standard for wildland fire ordinance with these exceptions:
  - (a) Section 101.1 Delete
  - (b) Section 101.3 Delete "The extent of this regulation is intended to be tiered commensurate with the relative level of hazard present."
  - (c) Section 101.3 Second paragraph, substitute "development and" for "unrestricted"
  - (d) Section 101.4 Delete Exception
  - (e) Section 101.5 In the Exception, delete "section 402.3"
  - (f) Section 105.2 Delete "For buildings or structures erected for temporary uses, see Appendix A, Section A108.3, of this code"
  - (g) Section 105.2 Add a number 15 to the list of activities that need a permit to read "Or other activities as determined by the code official"
  - (h) Section 202 Delete "Critical Fire Weather, Ignition-Resistant Construction Class 1,2 and 3, Urban-Wildland Interface area"
  - (i) Section 202 "See Critical Fire Weather" from Fire Weather definition
  - (j) Section 202 Replace Fuel, Heavy definition with "Vegetation consisting of round wood 3 inches (76 mm) or larger in diameter. The amount of fuel (vegetation) would be 6 tons per acre or greater."
  - (k) Section 202 Replace Fuel, Light definition with "Vegetation consisting of herbaceous and round wood less than 1/4 inch (6.4 mm) in diameter. The amount of fuel (vegetation) would be 1/2 ton to 2 tons per acre."
  - (l) Section 202 Replace Fuel, Medium definition with "Vegetation consisting of round wood 1/4 to 3 inches (6.4mm to 76 mm) in diameter. The amount of fuel (vegetation) would be 2 to 6 tons per acre."
  - (m) Section 202 Add the term Legislative Body with the following definition: "The governing body of the political jurisdiction administering this code"
  - (n) Section 202 Add the term Brush, Tall with the following definition: "Arbor-like varieties of brush species and/or short varieties of broad-leaf trees that grow in compact groups or clumps. These groups or clumps reach heights of 4 to 20 feet. In Utah, this includes primary varieties of oak, maples, chokecherry, serviceberry and mahogany, but may also include other species."
  - (o) Section 202 Add the term Brush, Short with the following definition: "Low-growing species that reach heights of 1 to 3 feet. Sagebrush, snowberry, and rabbitbrush are some varieties"
  - (p) Section 202 Add the term Wildland Urban Interface with the following definition "The line, area or zone where structures or other human development (including critical infrastructure that if destroyed would result in hardship to communities) meet or intermingle with undeveloped wildland or vegetative fuel."
  - (q) Section 301 Delete
  - (r) Section 302.1 Replace with " The legislative body shall declare the urban-wildland interface areas within the jurisdiction. The urban wildland interface areas shall be based on the maps created through Section 302."
  - (s) Section 302.2 Replace with " In cooperation, the code official and the Division of Forestry, Fire and State Lands (FFSL) wildfire representative [per participating



- agreement between county and FFSL] will create or review Wildland Urban Interface area maps, to be recorded and filed with the clerk of the jurisdiction. These areas shall become effective immediately thereafter.”
- (t) Section 302.3 Add “and the FFSL wildfire representative” between “official” and “shall”.
  - (u) Section 402.3 Delete
  - (v) Section 403.2 Delete Exception
  - (w) Section 403.3 Replace “typically used to respond to that location” to “to protect structures and wildlands”
  - (x) Section 403.7 Add “It will be up to the code official to ascertain the standard based on local fire equipment, grade not to exceed 12%”
  - (y) Section 404.1 Delete “or as required . . . with Section 402.1.2”
  - (z) Section 404.1 Delete Exception
  - (aa) Section 404.3 Delete “The draft site shall have emergency . . . with Section 402.”
  - (bb) Section 404.5 Replace “as follows: determined” with “by the local jurisdiction. NFPA 1142 may be used as a reference.”
  - (cc) Section 404.5.1 Delete entire section including Exception
  - (dd) Section 404.5.2 Delete entire section including Exception
  - (ee) Section 404.6 Replace with “The water system required by this code can only be considered conforming for purposes of determining the level of ignition-resistant construction (see Table 503.1).”
  - (ff) Section 404.8 Delete the words “and hydrants”
  - (gg) Section 404.9 After “. . . periodic tests as required by the code official.” add the sentences “Code official shall establish a periodic testing schedule. Costs are to be covered by the water provider.”
  - (hh) Section 404.9 After the last sentence, add “Mains and appurtenances shall be installed in accordance with NFPA 24. Water tanks for private fire protection shall be installed in accordance with NFPA 22. Costs are to be covered by the water provider.”
  - (ii) Section 404.10.3 After “. . . dependent on electrical power” add “supplied by power grid” and after “. . . demands shall provide . . .” add “functional”
  - (jj) Section 404.10.3 Replace “Exceptions” in its entirety with “When approved by the code official, a standby power supply is not required where the primary power service to the stationary water supply facility is underground or on-site generator.”
  - (kk) Section 405 Before Section 405.1 Add “The purpose of the plan is to provide a basis to determine overall compliance with this code, for determination of Ignition Resistant Construction (IRC) (see Table 503.1) and for determining the need for alternative materials and methods.”
  - (ll) Section 405.1 After “When required by a code official, a fire protection plan shall be prepared” add the words “and approved prior to the first building permit issuance or subdivision approval.”
  - (mm) Chapter 5, Delete Table 502
  - (nn) Section 505.2 Replace “Class B roof covering” with “Class A roof covering”
  - (oo) Section 506.2 replace “Class C roof covering” with “Class A roof covering”
  - (pp) Section 602 Delete

- (qq) Section 603.2 Replace “for the purpose of Table 503.1” with “for individual buildings or structures on a property”
- (rr) Section 603.2 Replace “10 feet or to the property line” with “30 feet or to the property line”
- (ss) Section 603.2 replace “along the grade” with “on a horizontal plane”
- (tt) Section 603.2 replace “may be increased” with “may be modified”
- (uu) Section 603.2 Delete “crowns of trees and structures”
- (vv) Add new Section 603.3 titled “Community fuel modification zones” with the following text: Fuel modification zones to protect new communities shall be provided when required by the code official in accordance with Section 603 in order to reduce fuel loads adjacent to communities and structures.
- (ww) Add new Section 603.3.1 titled “Land ownership” with the following text: Fuel modification zone land used to protect a community shall be under the control of an association or other common ownership instrument for the life of the community to be protected.
- (xx) Add new Section 603.3.2 titled “Fuel modification zone plans” with the following text: Fuel modification zone plans shall be approved prior to fuel modification work and shall be placed on a site grading plan shown in plan view. An elevation plan shall also be provided to indicate the length of the fuel modification zone on the slope. Fuel modification zone plans shall include, but not be limited to the following:
  - (i) Plan showing existing vegetation
  - (ii) Photographs showing natural conditions prior to work being performed
  - (iii) Grading plan showing location of proposed buildings and structures, and set backs from top of slope to all buildings or structures
- (yy) Section 604.1 Add “annually, or as necessary” after “maintained”
- (zz) Section 604.4 First sentence should read “Individual trees and/or small clumps of trees or brush crowns extending to within . . . .”
- (aaa) Section 607 change “20 feet” to “30 feet”
- (bbb) Chapter 7 Delete
- (ccc) Appendix A is included as optional recommendations rather than mandatory
- (ddd) Appendix B Last sentence changed to “Continuous maintenance of the clearance is required.”
- (eee) Appendix C Below title, add “This appendix is to be used to determine the fire hazard severity.”
- (fff) Appendix C-A1. Change to “One-lane road in, one-lane road out” and points change to 1, 10 and 15.
- (ggg) Appendix C-A2. Points change to 1 and 5
- (hhh) Appendix C-A3 Change to 3 entries: Road grade 5% or less, road grade 5-10% and road grade greater than 10%, with points at 1,5 and 10, respectively.
  - (iii) Appendix C-A4. Points are now 1, 5, 8 and 10
- (jjj) Appendix C-A5 Change to “Present but unapproved” for 3 points, and “not present” for 5 points
- (kkk) Appendix C-B1. Fuel Types change to “Surface” and “Overstory”. Surface has 4 categories -- Lawn/noncombustible, Grass/short brush, Scattered dead/down

woody material, Abundant dead/down woody material; and the points are 1, 5, 10 and 15, respectively. Overstory has 4 categories -- Deciduous trees (except tall brush), Mixed deciduous trees and tall brush, Clumped/scattered conifers and/or tall brush, Contiguous conifer and/or tall brush; and the points are 3, 10, 15 and 20, respectively.

- (lll) Appendix C-B2. The 3 categories are changed to "70% or more of lots completed", "30% to 70% of lots completed" and "Less than 30% of lots completed" and the points would be 1, 10 and 20, respectively.
- (mmm) Appendix C-C Replace first category with "Located on flat, base of hill, or setback at crest of hill"; Replace second category with "On slope with 0-20%grade"; Replace third category with "On slope with 21-30% grade"; Replace fourth category with "On slope with 31%grade or greater"; Add fifth category that reads "At crest of hill with unmitigated vegetation below"; replace the points with 1, 5, 10, 15 and 20 for the five categories.
- (nnn) Appendix C-E. Change the points to 1, 5, 10, 15 and 20.
- (ooo) Appendix C-F. Drop down the second and third categories to third and fourth and insert new second category to read "Combustible siding/no deck"; The points for the four categories are 1, 5, 10 and 15.
- (ppp) The new totals for "Moderate Hazard" are 50-75; "High Hazard" are 76-100; "Extreme Hazard" are 101+.
- (qqq) Appendices D-H Delete

## **R652-122-1400. MINIMUM STANDARDS FOR WILDLAND FIRE TRAINING.**

1. At a minimum, the Participating Entity will ensure that firefighters providing Initial Attack to wildland fire within the Participating Entity's jurisdiction will be trained in NWCG S130 Firefighter Training and S190 Introduction to Wildland Fire Behavior. FFSL also recommends S215 Wildland Urban Interface Firefighting Operations.
  - (a) This includes firefighters who are directly involved in the suppression of a wildland fire; firefighters on scene who have supervisory responsibility or decision-making authority over those involved in the suppression of a wildland fire; or individuals who have fire suppression responsibilities within close proximity of the fire perimeter.
  - (b) This does not include a person used as a courier, driver of a vehicle not used for fire suppression, or a person used in a non-tactical support or other peripheral function not in close proximity to a wildland fire.
  - (c) Upon the Delegation of Fire Management Authority, Firefighters not certified by the Utah Fire Certification Council as Wildland Firefighter I will be released from Initial Attack or reassigned to other firefighting duties.

## **R652-122-1500. MINIMUM STANDARDS FOR WILDLAND FIREFIGHTING EQUIPMENT.**

1. The following standards are applicable to equipment used by fire departments representing those counties who have cooperative wildland fire protection agreements with the State of Utah. This includes county fire departments and other fire departments which are contracted with the counties to provide fire protection on private wildland.

The Utah Division of Forestry, Fire and State Lands has determined that this standard be met by June 1, 2006.

- Engines and water tenders used on private wildland fires within the county’s jurisdiction will meet the standard for the type of equipment plus appropriate hand tools and water handling equipment as determined by the National Wildfire Coordinating Group.

**Table 1 Engines**

Component	Type 1	Type 2	Type 3
Pump Rating (gpm)	1000+ @ 150 psi	250+ @ 150 psi	150+ @ 250 psi
Tank Capacity (gal)	400+	400+	500+
Hose 2.5 inch	1200 ft	1000 ft	None
Hose 1.5 inch	400 ft	500 ft	500 ft
Hose 1 inch	None	None	500 ft
Ladders	48 ft	48 ft	None
Master Stream (gpm)	500	None	None
Personnel (minimum)	4	3	2
Component	Type 4	Type 5	Type 6
Pump Rating (gpm)	50 @100 psi	50 @ 100 psi	30 @100 psi
Tank Capacity (gal)	750+	400 - 750	150 - 400
Hose 2.5 inch	None	None	None
Hose 1.5 inch	300 ft	300 ft	300 ft
Hose 1 inch	300 ft	300 ft	300 ft
Ladders	None	None	None
Master Stream (gpm)	None	None	None
Personnel (minimum)	2	2	2

**Table 2 Water Tenders**

Component	Type 1	Type 2	Type 3
Tank Capacity (gal)	5,000+	2,500+	1,000+
Pump Capacity (gpm)	300+	200+	200+
Off Load Capacity (gpm)	300+	200+	200+
Max Refill Time (min)	30	20	15
Personnel Tactical/ Nontactical	2/1	2/1	2/1

**Date of Enactment or Last Substantive Amendment: July 23, 2018**

**RULE R652-123. WILDLAND FIRE SUPPRESSION COST RECOVERY PROCEDURE.**

**R652-123-100. AUTHORITY AND PURPOSE.**

This rule establishes a procedure for recovery of the Division's costs for suppressing wildland fire as provided in Section 65A-3-4.

**R652-123-200. PROCEDURE TO COLLECT FOR WILDLAND FIRE SUPPRESSION COSTS.**

1. The Division shall track the costs it incurs to suppress all wildland fires, including those suspected to be ignited by human activity.
2. All fires suspected to be human-caused should be investigated as thoroughly as possible.
3. If an investigation reasonably shows that a person or persons started a fire by acting in a negligent, reckless or intentional manner, the person(s) deemed responsible may be sent an invoice and a request for payment by the Division to pursue wildfire cost recovery.
4. If cost recovery is pursued, the person(s) deemed responsible shall be contacted by certified mail/return receipt and be given Notice of Intent to Collect. The notice shall also include an invitation to meet with staff within 30 days and present any new evidence or to dispute the case.
5. At the end of the 30 days after the notice is received, a Demand for Payment Letter and invoice may be sent by the Division stating that the Division demands payment for the costs as authorized by the Utah Code, Section 65A-3-4.
6. If payment is not received by the Division within 90 days of the date of the invoice, the Division may pursue payment by one of the following means:
  - (a) collection of a delinquent account in accordance with Sections 63A-3-301 through 63A-3-310, Accounts Receivable Collection; or,
  - (b) by tendering the account to a collection agency for immediate collection.
7. In cases where undue financial hardship would be caused by full payment of an invoice, the responsible party may negotiate with the Division to make alternate arrangements, including installment payments to satisfy the debt.

**R652-123-300. ELIGIBLE RECOVERY COSTS.**

1. The State Office or the appropriate Area Office may seek recovery of all costs associated with a wildfire caused by negligent, reckless or willful acts, including suppression, rehabilitation, and damage to state property.

**R652-123-400. APPEALS AND/OR SETTLEMENTS.**

1. The Division's intent is to secure full recovery from the person(s) deemed responsible based on the actual cost of wildfire suppression including all indirect costs associated with or resulting from the wildfire. Indirect costs may include investigations, scene security, managing firefighter well-being etc.

2. The Division may at its discretion accept settlement based on the responsible person's ability to pay or any other factor the Division deems relevant.
3. Settlements shall conform to the requirements of the State Settlement Agreements Act, Sections 63G-10-101 through 503.
4. The Division may submit to the Attorney General any claim for recovery, which is in dispute, requesting legal action be taken to recover the State's costs and settle such claims based on the laws of liability or as directed by the courts.

**Date of Enactment or Last Substantive Amendment: February 12, 2020**

## **R652-124. WILDLAND FIRE PREPAREDNESS GRANTS.**

### **R652-124-100. AUTHORITY AND PURPOSE.**

These rules implement Section 65A-8-213, which authorizes the Division of Forestry, Fire, and State Lands to make rules establishing criteria for receiving grants from the Wildland Fire Preparedness Grants Fund. The rules also pertain to grants to fire departments for wildland fire preparedness and prevention from other funding sources.

### **R652-124-200. DEFINITIONS.**

1. "Fire Department" is defined as a department that is tasked with responding to and suppressing or controlling wildland fire within a particular geographic jurisdiction.
2. "Grant" is defined as a disbursement of funds from the Wildland Fire Preparedness Grants Fund and/or another funding source to a fire department to assist in building capacity for the suppression of wildland fires or for wildland fire prevention and preparedness.
3. "Grant Applicant" is defined as a fire department seeking a Wildland Fire Preparedness Grant.
4. "Grant Application" means an application for a grant.
5. "Grant Approval Considerations" means the considerations the Division may use to determine whether or not to approve or deny a grant application.
6. "Grant Applicant Eligibility Requirements" means the requirements that must be met by a fire department to be considered eligible to receive a grant.
7. "Qualified Purpose" means the purpose specified by the funding source for the grant.

### **R652-124-300. GRANT ADMINISTRATION.**

1. Funds from the Wildland Fire Preparedness Grants Fund can only be used to assist fire departments in building capacity for the suppression of wildland fire. Other grant funding sources may have other purposes related to wildland fire preparedness and prevention.
2. The Division may limit the number and amount of grants approved.
3. The Division will provide an application form for grant requests.
4. All grants may only be used for a qualified purpose.

5. Grants must be used in the year they are awarded.
6. Grant recipients must provide documentation of the use of the grant to the Division after the grant is used.
7. The Division will notify grant recipients of the date that documentation of the use of the grant must be provided to the Division.
8. The Division will publish the deadline for grant applications on its website.
9. The Division will notify grant applicants who do not meet grant application Eligibility Requirements.
10. The Division may publish further information and guidance on this grant program and other grant programs on its website.

### **R652-124-400. GRANT APPLICANT ELIGIBILITY REQUIREMENTS.**

1. The Division will establish grant applicant eligibility requirements and provide them to potential grant applicants.
2. The Division will determine grant applicant compliance with grant applicant eligibility requirements before a grant is approved or denied and may advise grant applicants how to correct eligibility deficiencies.
3. If a grant request cannot be approved from the Wildland Fire Preparedness Grants Fund, the Division may approve a grant from another source of funding if available.

### **R652-124-500. GRANT APPROVAL CONSIDERATIONS.**

1. The Division shall award grants based on its discretion and will consider the following criteria when awarding grants:
  - (a) The history of wildland fire within the jurisdiction;
  - (b) The proposed benefit to be obtained by the grant;
  - (c) The severity of threat to human health and safety posed by wildland fire within the jurisdiction;
  - (d) Timeliness of the grant application;
  - (e) The balance of the Wildland Fire Preparedness Grants Fund and other funding sources;
  - (f) The ability of the entity to provide the required match for the grant;
  - (g) The priorities of the Division related to wildland fire prevention, preparedness, control, and suppression; and
  - (h) Other criteria determined relevant by the Division.

**Date of Enactment or Last Substantive Amendment: October 6, 2014**

## **ADMINISTRATIVE RULES TITLE R307-202 ENVIRONMENTAL QUALITY — AIR QUALITY**

### **R307-202 EMISSION STANDARDS: GENERAL BURNING**

#### **R307-202-1. APPLICABILITY.**

R307-202-4 through R307-202-8 applies to general burning within incorporated community under the authority of county or municipal fire authority.

#### **R307-202-2. DEFINITIONS.**

The following additional definitions apply only to R307-202.

“Attainment areas” means any area that meets the national primary and secondary ambient air quality standard (NAAQS) for the pollutant.

“County or municipal fire authority” means the public official so designated with the responsibility, authority, and training to protect people, property, and the environment from fire, within their respective area of jurisdiction.

“Federal Class I Area” means an area that consists of national parks exceeding 6,000 acres, wilderness areas and national memorial parks exceeding 5,000 acres, and all international parks that were in existence on August 7, 1977. See Clean Air Act section 162(a).

“Fire hazard” means a hazardous condition involving combustible, flammable, or explosive material that represents a substantial threat to life or property if not immediately abated, as declared by the county or municipal fire authority.

“Native American spiritual advisor” means a person who leads, instructs, or facilitates a Native American religious ceremony or service; or provides religious counseling; is an enrolled member of a federally recognized Native American tribe; and is recognized as a spiritual advisor by a federally recognized Native American tribe. “Native American spiritual advisor” includes a sweat lodge leader, medicine person, traditional religious practitioner, or holy man or woman.

#### **R307-202-3. EXCLUSIONS.**

As provided in Section 19-2-114, the provisions of R307-202 are not applicable to:

1. Except for areas zoned as residential, burning incident to horticultural or agricultural operations of:
  - (a) Prunings from trees, bushes, and plants; and
  - (b) Dead or diseased trees, bushes, and plants, including stubble.
2. Burning of weed growth along ditch banks for clearing these ditches for irrigation purposes;
3. Controlled heating of orchards or other crops during the frost season to lessen the chances of their being frozen so long as the emissions from this heating



do not cause or contribute to an exceedance of any national ambient air quality standards and is consistent with the federally approved State Implementation Plan; and

4. The controlled burning of not more than two structures per year by an organized and operating fire department for the purpose of training fire service personnel when the National Weather Service clearing index is above 500. See also Section 11-7-1(2)(a).
5. Ceremonial burning is excluded from R307-202-4(2) when conducted by a Native American spiritual advisor.

#### **R307-202-4. PROHIBITIONS.**

1. No open burning shall be done at sites used for disposal of community trash, garbage and other wastes.
2. No person shall burn under this rule when the director issues a public announcement under R307-302. The director will distribute such announcement to the local media notifying the public that a mandatory no-burn period is in effect for the area where the burning is to occur.

#### **R307-202-5. GENERAL REQUIREMENTS.**

1. Except as otherwise provided in this rule, no person shall set or use an open outdoor fire for the purpose of disposal or burning of petroleum wastes; demolition or construction debris; residential rubbish; garbage or vegetation; tires; tar; trees; wood waste; other combustible or flammable solid, liquid or gaseous waste; or for metal salvage or burning of motor vehicle bodies.
2. The county or municipal fire authority shall approve burning based on the predicted meteorological conditions and whether the emissions would impact the health and welfare of the public or cause or contribute to an exceedance of any national ambient air quality standard.
3. Nothing in this regulation shall be construed as relieving any person conducting open burning from meeting the requirements of any applicable federal, state or local requirements concerning disposal of any combustible materials.
4. The county or municipal fire authority that approves any open burning permit will retain a copy of each permit issued for one year.

#### **R307-202-6. OPEN BURNING - WITHOUT PERMIT.**

The following types of open burning do not require a permit when not prohibited by other local, state or federal laws and regulations, when it does not create a nuisance, as defined in Section 76-10-803, and does not impact the health and welfare of the public.

1. Devices for the primary purpose of preparing food such as outdoor grills and fireplaces;

2. Campfires and fires used solely for recreational purposes where such fires are under control of a responsible person and the combustible material is clean, dry wood or charcoal; and
3. Indoor fireplaces and residential solid fuel burning devices except as provided in R307-302-2.

### **R307-202-7. OPEN BURNING - WITH PERMIT.**

1. No person shall knowingly conduct open burning unless the open burning activities may be conducted without a permit pursuant to R307-202-6 or the person has a valid permit for burning on a specified date or period, issued by the county or municipal fire authority having jurisdiction in the area where the open burning will take place.
2. A permit applicant shall provide information as requested by the county or municipal fire authority. No permit or authorization shall be deemed valid unless the issuing authority determines that the applicant has provided the required information.
3. Persons seeking an open burning permit shall submit to the county or municipal fire authority an application on a form provided by the director for each separate burn.
4. A permit shall be valid only on the lands specified on the permit.
5. No material shall be burned unless it is clearly described and quantified as material to be burned on a valid permit.
6. No burning shall be conducted contrary to the conditions specified on the permit.
7. Any permit issued by a county or municipal fire authority shall be subject to the local, state, and federal rules and regulations.
8. Open burning is authorized by the issuance of a permit, as stipulated within this rule, for specification in R307-202-7(10). These permits can only be issued when not prohibited by other local, state, or federal laws and regulations and when a nuisance as defined in Section 76-10-803 is not created and does not impact the health and welfare of the public.
9. Individual permits, as stipulated within this rule, for the types of burning listed in R307-202-7(10) may be issued by a county or municipal fire authority when the clearing index is 500 or greater. When the clearing index is below 500, all permits issued for that day will be null and void until further notice from the county or municipal fire authority. Additionally, anyone burning on the day when the clearing index is below 500 or is found to be violating any part of this rule shall be liable for a fine in accordance with R307-130
10. Types of open burning for which a permit may be granted are:
  - (a) Except in nonattainment and maintenance areas, open burning of tree cuttings and slash in forest areas where the cuttings accrue from pulping,

- lumbering, and similar operations, but excluding waste from sawmill operations such as sawdust and scrap lumber.
- (b) Open burning of trees and brush within railroad rights-of-way provided that dirt is removed from stumps before burning, and that tires, oil more dense than #2 fuel oil, tar, or other materials which can cause severe air pollution are not present in the materials to be burned, and are not used to start fires or to keep fires burning.
  - (c) Open burning of a fire hazard that a county or municipal fire authority determines cannot be abated by any other viable option.
  - (d) Open burning of highly explosive materials when a county or municipal fire authority, law enforcement agency or governmental agency having jurisdiction determines that onsite burning or detonation in place is the only reasonably available method for safely disposing of the material.
  - (e) Open burning for the disposal of contraband in the possession of public law enforcement personnel provided they demonstrate to the county or municipal fire authority that open burning is the only reasonably available method for safely disposing of the material.
  - (f) Open burning of clippings, bushes, plants and prunings from trees incident to property clean-up activities, including residential cleanup, provided that the following conditions have been met:
    - (i) Within only the counties of Washington, Kane, San Juan, Iron, Garfield, Beaver, Piute, Wayne, Grand and Emery, the county or municipal fire authority may issue a permit between March 1 and May 30 when the clearing index is 500 or greater. The county or municipal fire authority may issue a permit between September 15 to November 15 for such burning to occur when the state forester has approved the burning window under Section 65A-8-211 and the clearing index is 500 or greater.
    - (ii) In all other areas of the state, the county or municipal fire authority may issue a permit between March 30 and May 30 for such burning to occur when the clearing index is 500 or greater. The county or municipal fire authority may issue a permit between September 15 and October 30 for such burning to occur when the state forester has approved the burning window under Section 65A-8-211 and the clearing index is 500 or greater.
    - (iii) Such burnings occur in accordance with state and federal requirements;
    - (iv) Materials to be burned are thoroughly dry; and
    - (v) No trash, rubbish, tires, or oil are included in the material to be burned, used to start fires, or used to keep fires burning.
  - (g) Except for nonattainment and maintenance areas, the director may grant a permit for types of open burning not specified in R307-202-7(3) on written application if the director finds that the burning is consistent with the federally approved State Implementation Plan and does not cause or contribute to an exceedance of any national ambient air quality standards.

- (i) This permit may be granted once the director has reviewed the written application with the requirements and criteria found within this rule at R307-202-7.
- (ii) Open Burning Permit Criteria.
  - A. The director or the county or municipal fire authority shall consider the following factors in determining whether, and upon what conditions, to issue an open burning permit:
    - I. The location and proximity of the proposed burning to any building, other structures, the public, and federal Class I areas that might be impacted by the smoke and emissions from the burn;
    - II. Burning will only be conducted when the clearing index is 500 or above; and
    - III. Whether there is any practical alternative method for the disposal of the material to be burned.
  - B. Methods to minimize emissions and smoke impacts may include, but are not limited to:
    - I. The use of clean auxiliary fuel;
    - II. Drying the material prior to ignition; and
    - III. Separation for alternative disposal of materials that produce higher levels of emissions and smoke during the combustion process.
  - C. Open burning permits are not valid during periods when the clearing index is below 500 or publicly announced air pollution emergencies or alerts have been declared in the area of the proposed burn.
  - D. For burns of piled material, all piles shall be reasonably dry and free of dirt.
  - E. Open burns shall be supervised by a responsible person who shall notify the local fire department and have available, either on-site or by the local fire department, the means to suppress the burn if the fire does not comply with the terms and conditions of the permit.
  - F. All open burning operations shall be subject to inspection by the director or county or municipal fire authority. The permittee shall maintain at the burn site the original or a copy of the permit that shall be made available without unreasonable delay to the inspector.
  - G. If at any time the director or the county or municipal fire authority granting the permit determines that the permittee has not complied with any term or condition of the permit, the permit is subject to partial or complete suspension, revocation or imposition of additional conditions. All burning activity subject to the permit shall be terminated immediately upon notice of suspension or revocation. In addition to suspension or revocation of the permit, the director or county or municipal fire authority may take any other enforcement action authorized under state or local law.

### **R307-202-8. SPECIAL CONDITIONS.**

1. Open burning for special purposes or under unusual or emergency circumstances may be approved by the director if it is consistent with the federally approved State Implementation Plan and does not cause or contribute to an exceedance of any national ambient air quality standards.
  - (a) This permit may be granted once the director has reviewed the written application with the requirements and criteria in R307-202-7.

**Date of Enactment or Last Substantive Amendment: September 5, 2019**

## **RULE R307-204. EMISSION STANDARDS: SMOKE MANAGEMENT.**

### **R307-204-1. PURPOSE AND GOALS.**

1. The purpose of R307-204 is to establish by rule procedures that mitigate the impacts on air quality and visibility from prescribed fire.

### **R307-204-2. APPLICABILITY.**

1. R307-204 applies to all persons using prescribed fire on land they own or manage.
2. R307-204 does not apply to agricultural activities specified in 19-2-114 and to those regulated under R307-202, or to activities otherwise permitted under R307.

### **R307-204-3. DEFINITIONS.**

The following additional definitions apply only to R307-204.

“Annual Emissions Goal” means the annual establishment of a planned quantitative value of emissions reductions from prescribed fire.

“Best Management Practices” means smoke management and dispersion techniques used during a prescribed fire that affect the direction, duration, height or density of smoke.

“Burn Window” means the period of time during which the prescribed fire is scheduled for ignition.

“Emission Reduction Techniques (ERT)” mean techniques for controlling emissions from prescribed fires to minimize the amount of emission output per unit or acre burned.

“Federal Class I Area” means any Federal land that is federally classified or reclassified Class I.

“Land Manager” means any federal, state, local or private entity that owns, administers, directs, oversees or controls the use of public or private land, including the application of fire to the land.

“Non-burning Alternatives to Fire” means non-burning techniques that are used to achieve a particular land management objective, including but not limited to reduction of fuel loading, manipulation of fuels, enhancement of wildlife habitat, and ecosystem restructuring. These alternatives are designed to replace the use of fire for at least five years.

“Nonfull suppression event” means a naturally ignited wildland fire (wildfire) for which a land manager secures less than full suppression to accomplish a specific pre-stated resource management objective in a predefined geographic area.

“Particulate Matter” means the liquid or solid particles such as dust, smoke, mist, or smog found in air emissions.

“Pile” means natural materials or debris resulting from some type of fuels management practice that have been relocated either by hand or machinery into a concentrated area.

“Pile Burn” means burning of individual piles.

“Prescribed Fire or Prescribed Burn” means a wildland fire originating from a planned ignition to meet specific objectives identified in a written, approved, prescribed fire plan.

“Prescribed Fire Plan” means the plan required for each fire application ignited by managers. It must be prepared by qualified personnel and approved by the appropriate agency administrator prior to implementation. Each plan follows specific agency direction and must include critical elements described in agency manuals.

“Prescription” means the measurable criteria that define conditions under which a prescribed fire may be ignited, guide selection of appropriate management responses, and indicates other required actions. Prescription criteria may include safety, economic, public health, environmental, geographic, administrative, social, or legal considerations.

“Smoke Sensitive Receptors” means population centers such as towns and villages, campgrounds and trails, hospitals, nursing homes, schools, roads, airports, Class I areas, nonattainment and maintenance areas, areas whose air quality monitoring data indicate pollutant levels that are close to health standards, and any other areas where smoke and air pollutants can adversely affect public health, safety and welfare.

“Wildfire” means unplanned ignition of a wildland fire (such as a fire caused by lightning, volcanoes, unauthorized and accidental human-caused fires) and escaped prescribed fires.

“Wildland” means an area in which development is essentially non-existent, except for pipelines, power lines, roads, railroads, or other transportation or conveyance facilities. Structures, if any, are widely scattered.

“Wildland Fire” means any non-structure fire that occurs in the wildland.

### **R307-204-4. GENERAL REQUIREMENTS.**

1. Management of On-Going Fires. The land manager shall notify the Division of all wildfires, including nonfull suppression events. If, after consultation with the land manager, the Director determines that a prescribed fire, wildfire, or any smoke transported from other locations, is degrading air quality to levels that could violate the National Ambient Air Quality Standards or burn plan conditions, the land manager shall promptly stop igniting additional prescribed fires.
2. Non-burning Alternatives to Fire. Each land manager shall submit to the Director annually, by March 15, a list of areas treated using non-burning alternatives to fire during the previous calendar year, including the number of acres, the specific types of alternatives used, and the location of these areas.
3. Annual Emissions Goal. The Director shall provide an opportunity for an annual meeting with land managers for the purpose of evaluation and adoption of the annual emission goal. The annual emission goal shall be developed in cooperation with states, federal land management agencies and private entities, to control prescribed fire emissions increases to the maximum feasible extent.
4. Long-term Fire Projections. Each land manager shall provide to the Director by March 15 annually long-term projections of future prescribed fire activity for annual assessment of visibility impairment.

### **R307-204-5. BURN SCHEDULE.**

1. Any land manager planning prescribed fire burning more than 50 acres per year shall submit a burn schedule to the Director on forms provided by the Division, and shall include the following information for all prescribed fires including those smaller than 20 acres:
  - (a) Project name and de minimis status;
  - (b) Latitude and longitude;
  - (c) Acres for the year, fuel type, and planned use of emission reduction techniques to support establishment of the annual emissions goal; and
  - (d) Expected burn dates and burn duration.
2. Each land manager shall submit each year’s burn schedule no later than March 15 of that year.
3. Any land manager who makes changes to the burn schedule shall submit an amendment to the burn schedule within 10 days after the change.

### **R307-204-6. SMALL PRESCRIBED FIRES (DE MINIMIS).**

1. A prescribed fire that covers less than 20 acres per burn or less than 30,000 cubic feet of piled material shall only be ignited either when the clearing index is 500 or greater or when the clearing index is between 400 and 499, if;
  - (a) The prescribed fire is recorded as a de minimis prescribed fire on the annual burn schedule;
  - (b) The land manager obtains approval from the Director by e-mail or phone prior to ignition of the burn; and
  - (c) The land manager submits to the Director hourly photographs, a record of any complaints, hourly meteorological conditions and an hourly description of the smoke plume.

### **R307-204-7. LARGE PRESCRIBED FIRES.**

1. For a prescribed fire that covers 20 acres or more per burn or 30,000 cubic feet of piled material or more, the land manager shall submit to the Director a prescribed fire plan at least one week before the beginning of the burn window. The plan shall include a prescription and description of other state, county, municipal, or federal resources available on scene, or for contingency purposes.
2. The land manager shall submit pre-burn information to the Director at least two weeks before the beginning of the burn window. The pre-burn information shall be submitted to the Director on the appropriate form provided by the Division and shall include the following information:
  - (a) The project name, total acres, and latitude and longitude;
  - (b) Summary of ignition method, burn type, and burn objectives, such as restoration or maintenance of ecological functions or hazardous fuel reduction;
  - (c) Any sensitive receptor within 15 miles, including any Class I or nonattainment or maintenance area, and distance and direction in degrees from the project site;
  - (d) The smoke dispersion or visibility model used and results;
  - (e) The estimated amount of total particulate matter anticipated;
  - (f) A description of how the public and land managers in neighboring states will be notified;
  - (g) A map depicting both the daytime and nighttime smoke path and down-drainage flow for a minimum of 15 miles from the burn site with smoke-sensitive areas delineated;
  - (h) Safety and contingency plans for addressing any smoke intrusions;
  - (i) Planned use of emission reduction techniques to support establishment of an annual emissions goal, if not already submitted under R307-204-5; and
  - (j) Any other information needed by the Director for smoke management purposes, or for assessment of contribution to visibility impairment in any Class I area.
3. Burn Request.



- (a) The land manager shall submit to the Director a burn request on the form provided by the Division by 1000 hours at least two business days before the planned ignition time. The form must include the following information:
    - (i) The project name;
    - (ii) The date submitted and by whom;
    - (iii) The burn manager conducting the burn and phone numbers; and
    - (iv) The dates of the requested burn window.
  - (b) No large prescribed fire shall be ignited before the Director approves the burn request.
  - (c) If a prescribed fire is delayed, changed or not completed following burn approval, any significant changes in the burn plan shall be submitted to the Director before the burn request is submitted.
4. Daily Emissions Report. By 0800 hours on the day following the prescribed fire, for each day of prescribed fire activity covering 20 acres or more, the land manager shall submit to the Director a daily emission report on the form provided by the Division including the following information:
  - (a) Project name;
  - (b) The date submitted and by whom;
  - (c) The start and end dates and times of the burn;
  - (d) Emission information, to include total affected acres, black acres, tons fuel consumed per acre, and tons particulate matter produced;
  - (e) Public interest regarding smoke;
  - (f) Daytime smoke behavior;
  - (g) Nighttime smoke behavior;
  - (h) Emission reduction techniques applied; and
  - (i) Evaluation of the techniques used by the land manager to reduce emissions or manage the smoke from the prescribed burn.
5. Emission Reduction and Dispersion Techniques. Each land manager shall take measures to prevent smoke impacts. Such measures may include best management practices such as dilution, emission reduction or avoidance in addition to others described in the pre-burn information form provided by the Division. An evaluation of the techniques shall be included in the daily emissions report required by (4) above.
6. Monitoring. Land managers shall monitor the effects of the prescribed fire on smoke sensitive receptors and on visibility in Class I areas, as directed by the burn plan. Hourly visual monitoring and documentation of the direction of the smoke plume shall be recorded on the form provided by the Division or on the land manager's equivalent form. Complaints from the public shall be noted in the land managers project file. Records shall be available for inspection by the Director for six months following the end of the fire.

## SELECTED DEPARTMENT POLICIES

Below there are selected Department of Natural Resources Policies that pertain specifically to the Fire Management Program. A complete listing of DNR policies can be found on the innerweb at: <https://ffsl.link/DNRpolicies> - for QR Code see 2.1 on page 130.

Revision Date: 12/12/2023

### DNR-23-05 MOTOR VEHICLE OPERATIONS

#### I. PURPOSE

The department operates a fleet of vehicles throughout the state of Utah. The primary mission of the fleet is to act as a service agency to facilitate the statutory missions of the department for the people of the state of Utah.

#### II. POLICY

- A. Employees of the department, volunteers, and interns (termed as employee throughout the remainder of this policy) who are required to drive a vehicle as part of their job shall comply with Administrative Rule R27-3 (Vehicle Use Standards) and Administrative Rule R27-7 (Safety and Loss Prevention of State Vehicles).
- B. The department may authorize the divisions to establish additional provisions for the efficient operation of its fleet.
- C. Employees with a DUI in a personal vehicle may have their driving privileges withdrawn, suspended, or revoked (refer to Administrative Rule R27-3 and Administrative Rule R27-7). If, as a result of the DUI, the employee is unable to perform the essential functions of their job, they may be referred to the Employee Assistance Program and expected to follow treatment or they may be subject to disciplinary action, up to and including termination.
- D. In addition, the following must be completed by new hires:
  1. When necessary, practical instruction on backing with and without a trailer will be provided.
  2. Special off-road and adverse driving conditions training will be provided when necessary.
  3. To be eligible to drive a state vehicle, an employee must get their defensive driving certification and an operator ID created with division director or designee approval and a signed copy of the "Driver Eligibility Employee Statement and Operator ID Request" form on file. *For Operator ID Form see <https://ffsl.link/DNR-Operator-ID-Form> - for QR code see 2.11 on page 131.*

### **III. PROCEDURES**

The safety of department employees and the general public is of primary importance to management. The department's motor vehicle safety program provides training, safety audits, accident reviews, and proper specification of equipment.

#### **A. Definition of terms**

1. Accident– Per Administrative Rule R27-1-2(1)(a), an accident means any mishap involving a state vehicle, that results in harm or injury to persons or damage to property, regardless of fault, total cost of treatments, or repairs.
2. Driver Safety Committee– The panel formed by each agency to review accidents in which agency employees are involved and make a determination as to whether or not said accidents were preventable.

#### **B. Department Driver Safety Committee**

The purpose of the Driver Safety Committee is to discuss possible ways to minimize risks associated with all motor vehicle operations. The committee will meet on a monthly basis to review all accidents and determine if the accident is preventable or non-preventable. The committee consists of the following individuals:

1. A representative from DHRM
2. Each division/office director or designee
3. The department risk coordinator
4. The department finance director or designee
5. The department motor pool manager
6. The department's law enforcement director

#### **C. Department Risk Coordinator**

The department risk coordinator shall be appointed by the executive director. The department risk coordinator will schedule and chair committee meetings, prepare agendas, assign a committee member to keep minutes, and assign members to follow up on action items. The risk coordinator is responsible for aiding in the development of departmental motor vehicle safety programs and policies. Each division/office of the department will designate a person to act as the division/office safety coordinator.

#### **D. Accident reporting**

1. Per Administrative Rule R27-7-2, in the event of an accident involving a state vehicle, either the authorized driver of the vehicle or the employing agency shall notify the Division of Fleet Operations and

the Division of Risk Management within 24 hours of the occurrence of the accident by filing an online accident report.

- a. An accident report must be submitted online at <https://ffsl.link/fleet-claims> - for QR code see 2.12 on page 131. From there, click the link titled "Submit an Accident Report."
  2. An accident report must be submitted in all of the following instances:
    - a. Any instance where a vehicle is damaged
    - b. Vehicle vs. vehicle
    - c. Vehicle vs. an animal or person
    - d. Vehicle vs. an object
    - e. Vandalism
  3. Failure to report an accident in a timely manner may not be covered by Risk Management (Insurance), and the total repair amount will be charged to the division/office. Extenuating circumstances shall be communicated to the Department Risk Coordinator.
- E. Corrective/disciplinary action
1. Corrective/disciplinary action will be applied consistently across each division/office within the department by the division/office directors as per Administrative Rule R27-7-6 and Administrative Rule R27-7-7. The division/office director may appeal the ruling of the driver safety committee to the executive director.
  2. Actions will be accumulated over a 36-month period. Accidents or incidents that occurred more than 36 months prior will be excluded when determining corrective/disciplinary actions.
  3. The employee involved in an "accident" where it is deemed "preventable" by the Driver Safety Committee (DSC) has 30 calendar days after the DSC determination to request an opportunity to further explain details of the accident. The DSC may or may not choose to review the additional details as requested by the employee.
  4. All corrective/disciplinary actions will be recorded in the employee's file after the division/office director and employee have been notified in writing and the process has been completed.
  5. Seasonal employees may be subject to termination after a single responsible incident or accident.
  6. The Department Driver Safety Committee will make recommendations to the respective division/office director after reviewing the circumstances of the occurrence.

F. Safety belts

Safety belts will be used by all occupants as required by Administrative Rule R27-3-14.

G. Employee responsibility for vehicle care and maintenance

1. Vehicle abuse– Drivers should note any maintenance problems and inform the Motor Pool manager as soon as possible. If a vehicle is damaged due to abuse, the responsible division/office or individual will be charged for the amount of the repairs. If any employee neglects a vehicle, including not informing the department Motor Pool of possible damage due to a maintenance problem, the division/office or individual will be charged for the cost of repairs.
2. Maintenance– All regularly scheduled maintenance and repairs for the department’s short-term fleet will be the responsibility of the Motor Pool staff. All regularly scheduled maintenance and repairs for assigned vehicles will be the responsibility of the assigned driver in accordance with Administrative Rule R27-8. Regularly scheduled maintenance shall be performed in accordance per the accompanying service schedule provided by Fleet Operations. The authorized driver will take the vehicle to a vendor that participates in the Fleet Operations service network and ensure the vendor contacts the Fleet Vehicle Services Call Center for approval on all services and repairs.
3. Inspection and registration– Aside from the short-term fleet, each division/office is responsible for making sure that each vehicle receives an annual safety inspection and where applicable, an annual emissions inspection. Inspections must be done as requested by Fleet Operations.
4. Vehicle identification marking– The department will adhere to Administrative Rule R27-10(Identification Markings for State Motor Vehicles). Vehicles used strictly for covert operations are exempt from state identification policy but must complete and submit an unmarked license plate form annually.
5. Shelter of vehicle– Where practical, off-street shelter should be provided for the vehicle.
6. Revoking use of a state vehicle– The department may revoke the use of a state vehicle if the employee was operating any vehicle and any of the following occurs:
  - a. Was under the influence of drugs, alcohol, or other substance; or is convicted of driving while intoxicated or under the influence of a drug or other substance.
  - b. Was convicted of reckless driving.

- c. Was taking narcotics or a controlled substance; or was knowingly involved in the manufacture, transportation, possession, sale, or use of narcotics or any controlled substance.
  - d. Operates the vehicle in an unsafe condition and the employee has had prior notice of the condition and has failed to correct it.
  - e. Operates a vehicle without a valid driver's license or without authorization.
  - f. Leaves the scene of an accident without making required reports of such occurrence to the appropriate law enforcement authorities, fails to cooperate with such authorities, or otherwise fails to comply with applicable laws relating to accident reporting.
  - g. Shown evidence of incompetence or disregard for the safety or personal property of others.
  - h. Used the vehicle for any purpose in violation of federal, state, local laws, or any related policy.
  - i. Three or more preventable accidents in the previous three-year period.
- H. Authorized passengers in department vehicles

Per Administrative Rule R27-1-2, authorized passenger means any state employee acting within the scope of their employment, or any other person or animal whose transport is either necessary for the performance of the authorized driver's or passenger's employment duties or has been pre-approved by the agency head to accompany an authorized driver or passenger. Administrative Rule R27-3-4 generally does not allow non-state employees to drive or ride as passengers in state vehicles. However, certain instances can be authorized by the agency head (DNR Executive Director). Family members and other individuals may be authorized to be in a state vehicle when properly approved. Examples of other authorized passengers when approved may include: citizens requiring assistance, prisoners, authorized volunteers, media representatives, board of advisory council members, elected officials, recruited individuals, participants in official and/or educational tours, contractors, etc. Certain volunteers may be required to fill out a department Agreement for Voluntary Services form to drive or ride in a state vehicle.

The department should take every opportunity to create a professional image, as well as develop positive experiences for officials, citizens, and families. Authorizing passengers in department vehicles can be a very educational and productive opportunity. In addition, recruitment

of knowledgeable and informed individuals for future employment is required to accomplish the mission of the department.

Department employees should be aware of, and sensitive to, what the public may perceive as “unofficial” use of state vehicles. There should always be an easily articulated, direct connection between assigned duties and passengers riding in department vehicles.

Liability considerations and common sense dictate that passengers need to be kept “out of harm’s way.” Department employees should not participate in any situation where an authorized passenger is placed at unnecessary risk.

Authorization for family members and friends to be a passenger may be granted under certain circumstances. It may be advantageous for a spouse, son/daughter or friend to ride along as a “data recorder” or to help with a specific work project that may require more than one person.

Routine assistance of this type should be formalized with the individual(s) through an official Department of Natural Resources Agreement for Voluntary Services form. In addition, family members and friends may be passengers for special events when authorized.

Authorization to transport passengers can be made through the agency head (DNR Executive Director). Documentation of authorized passengers riding in state vehicles can be accomplished by completing the “Transportation of Passengers” form and any other forms that also may be required based on the circumstances.

When any applicable form is required to be completed to adhere to this policy, a copy shall be kept by the respective division/office for review.

#### I. Operation of the short-term fleet

The purpose of the department motor vehicle short-term fleet is to provide safe, reliable transportation for employees. More specifically, the central Motor Pool is responsible for maintenance and dispatching of the short-term fleet, and the acquisition of all vehicles for DNR.

#### J. Equipping of short-term vehicles

1. All vehicles will be equipped with the following:
  - a. First aid kit
  - b. Tow ropes
  - c. Window scraper
  - d. Fire extinguisher
  - e. Spare and jack
  - f. Jumper cables

<b>Agreement for Voluntary Services</b>			
<b>Section I – To Be Completed by Volunteer</b>			
Name <i>(Last Name, First)</i> :		Phone: (    ) -	
Address:		City:	State:    Zip:
<ol style="list-style-type: none"> <li>I have reviewed the description of work to be performed and amount of time required (see attached work description).</li> <li>I agree that all of the work that I perform under this agreement will be non-compensable, except for pre-approved compensation for <b>actual</b> expenses.</li> <li>I understand that either the Department or I may cancel this agreement at any time by notifying the other party.</li> <li>I give my permission for free use of my name, voice, and picture in any media coverage of my volunteer services.</li> <li>I hereby declare, to the best of my knowledge, I am in good physical health. I also understand the activities I will be performing may be physically demanding (see attached work description).</li> <li>I understand that if I am injured or involved in an accident while providing volunteer services to the Department, Worker's Compensation Fund will only pay the actual and necessary medical expenses I incur in the treatment of an injury. Other expenses such as lost work time, equipment, clothing, etc., will not be covered by insurance.</li> <li>I understand I may be subject to a criminal record check or other background investigation.</li> </ol>			
I hereby volunteer my services as described in the work description to assist the Department of Natural Resources in its authorized work.			
Volunteer's Signature:		Date:    /    /	
Approval Signature of Parent/Guardian if under 18:		Date:    /    /	
<b>Section II – To Be Completed by the Department of Natural Resources</b>			
While this agreement is in effect, the Department of Natural Resources agrees to:			
<ol style="list-style-type: none"> <li>Accept you as a state volunteer and recognize your rights under UCA 63-34(9) (10) (11) (12).</li> <li>Authorize you to work as a volunteer according to the attached work description.</li> <li>Reimburse your pre-approved actual volunteer related expenses (to the extent funds are available).</li> <li>When applicable, authorize you to ride in or operate a state motor vehicle. (A copy of a valid Utah driver's license shall be attached to the <i>Volunteer Work Description</i> form if the volunteer will be authorized to drive a vehicle while performing volunteer services.)</li> </ol>			
As the supervisor, I understand that should an injury occur to an individual while in a volunteer status, a <i>First Report of Injury</i> form must be completed and submitted to the Human Resource office.			
Supervisor's Signature:		Title:	Date:    /    /
Name and Location of Worksite (Division/Office/Park/Facility):		Low Org:	
I grant authorization to utilize the services of the volunteer as noted in the work description.			
DNR Executive's Signature (or designee):		Date:    /    /	
For myself and as the authorized representative of the agency chief executive.			
Human Resource Director's Signature:		Date:    /    /	

Appendix A-1



Volunteer Work Description	
Name <i>(Last Name, First)</i> :	Job Title:
<b>WORK</b>	
Location:	
Description of work to be completed: <i>(Describe duties and physical demands. Use reverse side of form if necessary.)</i>	
If volunteer will be operating a state vehicle, a copy of a valid Utah Driver's License must be attached.	
Time Required:	
Hours per day (if appropriate): _____ Days of the week (if appropriate): _____	
Total time commitment (hours, days, weeks, or months): _____	
Other Information: <i>(Use reverse side of form if necessary.)</i>	
<b>VOLUNTEER</b>	
<ul style="list-style-type: none"> <li>• I have reviewed the description of the work to be performed and I am aware of the physical demands associated with that work.</li> <li>• I agree to carry out the specified duties and work the time identified to the best of my abilities.</li> </ul>	
Volunteer's Signature:	Date: / /
Emergency Contact:	
Name: _____	
Address: _____ City/State: _____ Zip: _____	
Home Phone Number: ( ) _____ - _____ Work Phone Number: ( ) _____ - _____	
<b>SUPERVISOR</b>	
Name <i>(Last Name, First)</i> :	Work Phone: ( ) _____
Work Address:	
Supervisor's Signature:	Title: _____ Date: / /
<b>TRAINING</b> <i>(Use reverse side of form if necessary)</i>	
Required : Sexual Harassment	Date Provided: / /
Required: Driving Video/Workbook <i>(if applicable)</i>	Date Provided: / /
Other: _____	Date Provided: / /

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Transportation of Passengers																							
Name (Last Name, First):		Division:																					
<table border="1" style="width: 100%; border-collapse: collapse; margin: 10px auto;"> <thead> <tr> <th style="width: 15%;">Date of Transport</th> <th style="width: 35%;">Name(s) of non-state employee(s) traveling</th> <th style="width: 20%;">Address(es)</th> <th style="width: 30%;">Purpose of Transporting Passengers</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">_ / _ / _</td> <td>1. 2. 3.</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">_ / _ / _</td> <td>1. 2. 3.</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">_ / _ / _</td> <td>1. 2. 3.</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">_ / _ / _</td> <td>1. 2. 3.</td> <td></td> <td></td> </tr> </tbody> </table>				Date of Transport	Name(s) of non-state employee(s) traveling	Address(es)	Purpose of Transporting Passengers	_ / _ / _	1. 2. 3.			_ / _ / _	1. 2. 3.			_ / _ / _	1. 2. 3.			_ / _ / _	1. 2. 3.		
Date of Transport	Name(s) of non-state employee(s) traveling	Address(es)	Purpose of Transporting Passengers																				
_ / _ / _	1. 2. 3.																						
_ / _ / _	1. 2. 3.																						
_ / _ / _	1. 2. 3.																						
_ / _ / _	1. 2. 3.																						
As required by division director: <input type="checkbox"/> <i>Agreement for Voluntary Services</i> form signed and attached <div style="text-align: center;">- or -</div> <input type="checkbox"/> <i>Hold Harmless and Liability Release</i> form signed and attached.																							
Explanation:																							
Division Director's Signature (or designee):			Date: / /																				

Appendix A-1

<b>Hold Harmless and Liability Release</b>			
Passenger Name <i>(Last Name, First):</i>			
Address:		City:	State: Zip:
Home Phone: ( ) -		Business Phone: ( ) -	
DOB: / /	Representing:		
<p>Having knowledge that duties of the Department of Natural Resources can be hazardous and possibly dangerous, I hereby absolve and hold harmless the Department of Natural Resources and all persons associated herewith from any and all liability while riding along with any member of the Department of Natural Resources. I further agree to abide by all the rules and orders given to me by the employee with whom I am assigned to ride and understand that they may terminate my ride at any time without explanation.</p>			
Passenger's Signature:			Date: / /
Witness:			Date: / /
Approval Signature of Parent/Guardian if under 18:			Date: / /

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*Revision Date: 7/1/2023*

## **DNR-23-09 CODE OF CONDUCT**

### **I. PURPOSE**

This policy promotes a working environment that ensures ethical and professional employee conduct, by identifying and defining standards of conduct for employees of the Department of Natural Resources. The department strives to achieve its mission and vision by fostering good customer relations and public trust, maintaining appropriate relationships between coworkers, and establishing highly professional, respectful standards and work ethics. The success of the department depends upon the trust, credibility, and confidence earned from employees, clients, and stakeholders. This trust and credibility is obtained by adhering to commitments, displaying honesty and integrity, and reaching department goals through honorable conduct. This policy applies to all department employees and volunteers.

### **II. POLICY**

#### **A. Professional conduct**

1. Unless there is a specific policy providing greater clarity, DNR adopts and adheres to all state and federal laws, and rules. Employees shall abide by all laws, regulations, rules, and policies governing their work and professional activities.
2. Employees who physically occupy space within another state agency's facility or offices may also be required to comply with the policies and/or procedures of that agency.
3. Employees shall truthfully represent their professional credentials, licensure, education, training, and experience to the department, customers, and prospective customers.
4. Employees shall foster a work environment that is safe from all forms of violence, including domestic violence perpetrated within the workplace.
5. Employees shall dress appropriately and professionally for their assigned job in both in-person and virtual work environments. Basic elements for appropriate and professional attire include clothing that is neat and clean. Managers or supervisors may determine if an employee is dressed appropriately for the workplace or situation.
6. Employees shall not engage in unprofessional conduct on or off the job that compromises the ability of the employee, the department, or the state to fulfill its responsibilities, including, but not limited to, engaging in any illegal activity or other conduct unbecoming to the department's public reputation.

7. Employees shall not willfully cause damage to public property or waste public resources, nor may they use public property for personal gain.
  8. Employees shall not use state-owned equipment, devices, or services in violation of Section R895-7.
  9. Employees shall promptly report to a supervisor or Human Resources when they encounter a situation where they have unintentionally violated Rule R895-7 [such as receiving a sexually explicit email or accidentally visiting a prohibited website].
- B. Performance of duties
1. Employees shall maintain work schedules approved by department management and observe lunch, break, and exercise release periods in accordance with Section R477-8-3.
  2. Employees may work a schedule with flexible start and end times with management approval in accordance with Section R477-8-1.
  3. Employees and supervisors shall abide by Sections R477-8-4 and R477-8-5, governing overtime. No employee is allowed to work overtime unless specifically pre-approved by their supervisor. An employee who works overtime without such approval is subject to disciplinary action.
  4. Employees shall not engage in any activity that could be considered a dereliction of duty, including, but not limited to: unauthorized leave or leave without pay; willful delays or neglect to perform assigned duties and/or responsibilities; inattention to duty; or leaving a work area inappropriately attended.
  5. Employees shall not participate in, condone, conceal, or be associated with dishonesty, fraud, misrepresentation, or theft.
  6. Except as provided in Rule R477-14, employees shall not consume or use alcohol or controlled substances, or be under the influence of alcohol or controlled substances, while on compensated work time, on state property, or while operating any vehicle on duty.
  7. Employees shall not consume any substance that impairs their ability to safely perform their job duties during compensated work time, while on-call, while on state property, or while operating a state vehicle. An employee desiring an exception to this policy shall submit a written request with an explanation as to how the duties may be temporarily changed or limited to ensure the employee's safety and the safety of others and to ensure an acceptable level of production to their immediate supervisor, who will work with Human Resources, for approval
  8. Except as provided in Rule R477-14, employees shall not unlawfully manufacture, dispense, possess, or distribute any controlled

substance or alcohol during work hours, on state property, or while operating any vehicles while on duty.

9. Employees shall not sell or promote products or services for personal, charitable, or other gain in the workplace.
  10. Employees shall not solicit political contributions during their hours of employment.
  11. Employees shall be familiar with and follow all department policies and applicable administrative rules.
- C. Working relationships with other employees
1. Employees shall treat each other respectfully and professionally.
  2. Employees shall not engage in abusive conduct, harass, or discriminate against another employee in violation of Rules R477-15 or R477-16.
  3. Employees shall refrain from using abusive or profane language, including, but not limited to, language that is demeaning, belittling, or knowingly offensive to other employees.
  4. Employees shall not intimidate, physically harm, or threaten physical harm toward, other employees, customers, management, or the public.
  5. Employees shall not be insubordinate, disloyal, or disrespectful to a manager's or supervisor's appropriate orders or requests. Employees may seek assistance from an HR director if they believe a manager or supervisor issued an inappropriate order or request.
  6. Employees shall promptly report any instance of questionable or unethical behavior to a supervisor or Human Resources.
- D. Supervisory relationships
1. Supervisors and other administrators shall treat subordinates respectfully and professionally.
  2. Supervisors and other administrators shall encourage and facilitate the professional development of employees in fulfilling their job duties with reasonably available resources.
  3. Supervisors and other administrators shall not exploit any subordinate for personal favors or personal gain.
  4. Supervisors and other administrators shall not use their position of authority to engage in abusive conduct, harass, intimidate, or discriminate against any subordinate in violation of Rules R477-15 or R477-16.
  5. Supervisors and other administrators shall not become involved in sexual relationships with any subordinate.

E. Relationships with customers and the public

1. Employees shall avoid relationships or commitments that would knowingly be detrimental to the interests of the state.
2. Employees shall not use their position, or information acquired through their position, to coerce or otherwise influence others for personal favors or personal gain.

F. Managing records and information

1. Employees shall respect and protect the confidentiality and privacy of records and information. They shall not access, use, disclose, or reproduce confidential information, or information contained in a private, controlled, or protected record for any purpose other than the performance of their official duties.
2. Employees shall take reasonable steps to secure confidential information wherever it is maintained such as in electronic devices, desks, offices, filing cabinets, vehicles, etc.
3. Employees shall, upon request or prior to termination of their employment relationship with the department, deliver to and/or grant their supervisor or designee access to any documents, materials, and equipment received from, maintained on behalf of the department or originating from their employment-related activities.
4. Employees shall not record or duplicate any work-related activities except as permitted by law or policy and approved by their supervisor.
5. Employees shall not knowingly violate any state or federal laws including the Government Records Access and Management Act (GRAMA), Utah Code 63G-2, that specifically states when and how customers, other agencies, and the public may inspect or copy the department's records, including customer records. Employees shall follow established business practices with respect to GRAMA and Verification of Employment.
6. Employees shall not falsify or wrongfully destroy any record, report, or claim, or knowingly enter, or cause to be entered, any false or improper information in department, customer agency, or employee personnel records.
7. Employees shall not improperly disclose or use controlled, private, or protected information acquired by reason of their official position or in the course of their official duties, and shall exercise appropriate judgment to prevent disclosure to others.
8. Employees shall complete appropriate training and comply with any regulatory requirements associated with information acquired in the course of their official duties.

*Revision Date: 7/1/2023*

## **DNR-23-13 EXERCISE POLICY**

### **I. PURPOSE**

To encourage the development and maintenance of healthy lifestyles.

### **II. POLICY**

- A. This program is available, with management approval, to all full-time career service and merit exempt employees who are receiving benefits. Employees may be granted up to 1 ½ hours each work week for exercising within the following conditions:
1. No more than 30 minutes a day up to three days each work week will be allowed.
  2. Employees shall request permission from their supervisors, in advance, to participate in this program.
  3. Each employee shall work with his/her immediate supervisor to decide the best time to participate in exercise activities. Exercise time shall only be used during approved scheduled normal work hours.
  4. Exercise time is not cumulative (time not used one day cannot be carried to the next day).
  5. Supervisors may revoke the exercise time allowed employees if it is used for purposes other than exercising or if it interferes with the employee's ability to accomplish work assignments.
  6. All employees must complete the attached Employee Request for Exercise Release Time form for participation in this program. Any modifications to the schedule shall require a new authorization form signed by the immediate supervisor.
  7. DNR Law Enforcement exercise policy is covered in Lexipol DNR1033.



## Employee Request for Exercise Release Time

Today's Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Employee Name: \_\_\_\_\_  
(Last) (First)

In accordance with the Department of Natural Resources exercise release time policy, I request permission to utilize release time to participate in exercise activities. The following time schedule will be observed:

Day of Week	Exercise Start Time	Exercise End Time
	:	:
	:	:
	:	:

I certify that I have read the department policy and agree to abide by all of its terms, present and future.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

cc: Human Resource Office (Employee's Personnel File)

*Revision Date: 7/1/2023*

## **DNR-23-19 WILDLAND FIRE AND ALL HAZARD RESPONSE: REST AND RECUPERATION REQUIREMENTS/ OVERTIME COMPENSATION/ HOLIDAY DIFFERENTIAL PAY**

### **I. PURPOSE**

To establish guidelines for rest and recuperation (R&R), define overtime compensation practices, and specify holiday differential pay protocol under emergency responses. The policy applies to employees of the state of Utah, Department of Natural Resources (DNR), involved in wildland fire suppression activities or support functions while in the service of the state or its co-operators. Response to all-hazard incidents will also be included if they are initiated through normal dispatch processes and have approved authorities or declarations assigned.

### **II. BACKGROUND**

Wildland fire or all-hazard response can require duty days of up to 16 hours and tour durations which may last up to 28 days exclusive of travel. To provide for personnel safety, national interagency agreements stipulate and require rest periods between assignments. In particular, standards and requirements of the National Wildfire Coordinating Group (NWCG) specify mandatory rest periods after assignments of 14 or 21 days.

These agreements include provisions that require resources to stand down for two or more days for purposes of R&R prior to accepting a new assignment. Defined mandatory R&R periods may not be eligible for compensation if the periods occur during normally scheduled days off for both full time and seasonal employees.

### **III. POLICY STATEMENT - REST AND RECOVERY (R&R)**

It is the policy of DNR to require full time and seasonal employees participating in any wildland fire or all-hazard incident of a long duration to have a minimum of three days off before accepting a new assignment.

### **IV. PURPOSE OF REST AND RECOVERY (R&R)**

To provide for the safety of employees of DNR involved in response activities while in the service of the state or its cooperators by ensuring employees receive adequate rest prior to accepting a new assignment.

### **V. POLICY IMPLEMENTATION**

- A. Eligible employees– those employees of DNR assigned to wildfire or all-hazard incidents, under NWCG standards, are eligible for administrative leave for purposes of R&R after completing standard tours of duty defined below. R&R is normally completed at home unless the employee is

asked to extend and complete R&R on the road while still assigned to the incident.

- B. 14-21 day assignments– supervisors may grant full time and seasonal employees up to three days of administrative leave to meet state and interagency rest requirements after incident assignments of 14-21 days in duration, exclusive of travel, before returning to service. Administrative leave approved for seasonal employees without benefits will be recorded in payroll as DOE Code 62 (Miscellaneous Earnings) on the Special Pay Screen solely for the purpose of fulfilling the provisions of the policy.
- C. 28 day assignments– supervisors may grant full time and seasonal employees up to four days of administrative leave to meet state and interagency rest requirements after extended incident assignments of two consecutive 14 day tours, exclusive of travel, before returning to service. Administrative leave approved for seasonal employees without benefits will be recorded in payroll as DOECODE 62 (Miscellaneous Earnings) on the Special Pay Screen solely for the purpose of fulfilling the provisions of the policy.
- D. Rest on the fire– circumstances requiring R&R on the incident (away from home base) will be charged to the incident. R&R time will be recorded as base hours if occurring on the employee’s scheduled workdays. This is commonly known as R&R in place.
- E. Normal days off– R&R periods falling on an employee’s normal days off are not eligible for administrative leave and will count towards the required R&R period if taken at the employee’s home base.
- F. Charges for administrative leave– administrative leave granted under provisions of this policy will be a direct charge (as per National Wildfire Coordinating Group: first two days in the 14-21-day scenario or first four days in the 28-day scenario) to the incident or incidents on which the work was performed. Additional administrative days granted will be charged to local budget codes.
- G. Charges for catastrophic or special circumstance events– any impact to a DNR employee or group of employees due to catastrophic or special circumstances, such as a traumatic injury or a fatality during an incident response, may warrant administrative leave. Leave must be pre-approved

by the division director or designee and charged to the appropriate local charge code.

## **VI. POLICY PURPOSE STATEMENT– EMERGENCY OVERTIME COMPENSATION**

To establish guidelines for compensation of employees of the state of Utah involved in wildland fire activities or an all-hazard response while in the service of the state or its cooperators beyond normal work hours and on scheduled days off.

## **VII. POLICY IMPLEMENTATION– EMERGENCY OVERTIME COMPENSATION**

Emergency overtime pay accrued on wildland fire or all-hazard assignments will be calculated at a rate of time and one-half for: all hours in excess of a regularly scheduled workday; hours in excess of 40 during a work week; and all hours worked on regularly scheduled days off. Employees that adhere to schedules other than a 40-hour work week will follow agency specific guidelines and FLSA direction for overtime compensation.

## **VIII. POLICY PURPOSE STATEMENT– HOLIDAY DIFFERENTIAL PAY**

The purpose is to define the process by which DNR employees are compensated while assigned to a wildland fire or all-hazard incidents on a state-recognized holiday. Divisions/offices will follow DHRM R477-8-13 guidance governing excess hours accumulation or create internal division/office policy to exercise other defined options.

*Effective Date: 6/23/2001*

## **NR-99-B-18 HAZARDOUS DUTY PAY DIFFERENTIAL**

### **I. BACKGROUND**

State law declares any fire burning uncontrolled on forest, range and watershed lands within the state a public nuisance. The State Forester is charged with making certain that appropriate action is taken to control wildland fires on non-federal forest, range and watershed lands within the state. The State Forester may enter into agreements with Federal agencies and the counties for these purposes. Duty involving the suppression of wildland fires poses a hazard to the lives, health and well being of wildland firefighters. Hazardous duty may involve exposure to flames, smoke, aircraft accidents, and work in rough remote terrain where the potential for serious injury or death may result. These hazards can't be totally mitigated.

### **II. DEFINITIONS**

- A. **Fire Line** – For purposes of pay administration for hazardous duty, a fire line is defined as the area within or adjacent to the perimeter of an uncontrolled wildfire of any size in which action is being taken to control the fire. Such action includes operations, which directly support control

of the fire (e.g., activities to extinguish the fire, ground scouting, spot fire patrolling, search and rescue operations, intelligence gathering, and backfiring).

- B. **Control Of Fire** – The Incident Commander or Agency Administrator will determine when the fire is controlled. Fire may be controlled even if confinement strategy is applied.
- C. **Flying** – Participating in limited control flights, such as those undertaken under unusual and adverse conditions (e.g., extreme weather, maximum load, limited visibility, extreme turbulence, or low level flights involving fixed or tactical patterns), which threaten or severely limit control of the aircraft.

### III. PURPOSE OF HAZARDOUS DUTY PAY DIFFERENTIAL

To compensate employees of the state of Utah for duty involving exposure to hazards associated with the suppression of wildland fires while in the service of the state or its cooperators.

### IV. PURPOSE OF POLICY

To establish guidelines for the payment of hazardous duty pay differential to employees of the State of Utah involved in wildland fire suppression while in the service of the state or its cooperators.

### V. POLICY STATEMENT

It shall be the policy of the Utah Department of Natural Resources to pay full time, seasonal and part time schedule B, AL, and AJ employees a hazardous duty pay differential of 25 percent of the employee's base rate when performing duties specified below:

- A. **Firefighting**– Participating as a member of a firefighting crew or incident overhead in fighting uncontrolled forest, range and watershed fires on the fire line. Persons assigned to firefighting duties, after the official control time, are not entitled to hazardous duty pay differential.
- B. **Flying** – Individuals, except pilots, who are participating in limited control or low-level flights in support of fire suppression operations.

### VI. POLICY IMPLEMENTATION

- A. **Eligible Employees** – Any member of the incident fire suppression organization is eligible for hazard pay while carrying out assigned duties, if hazard pay criteria, as described above, is met. This does not include personnel engaged in logistical support, service, and non-suppression activities (e.g., media tours to the Fire line, delivery of supplies to the Fire line). Eligible persons must also be qualified under National Wildfire

Coordinating Group standards for their particular function or position on a fire assignment.

- B. **Hazardous Duty Criteria** – Travel time to an incident assignment and return travel to the employee’s home duty station is not eligible for hazardous duty pay differential. Employees must be performing duties within or adjacent to the perimeter of an uncontrolled wildfire of any size in which action is being taken to control the fire. Such action includes operations, which directly support control of the fire (e.g., activities to extinguish the fire, ground scouting, spot fire patrolling, search and rescue operations, intelligence gathering, and backfiring). The incident must be in an uncontrolled status for hazardous duty pay differential to apply. Once the Incident Commander or Agency Administrator declares the fire controlled, the hazardous duty pay differential will no longer be authorized. A fire may be declared controlled even if a confinement strategy is applied.
- C. **Supervision** – Incident supervisors must manage for the appropriate application of this authority by signature on firefighter timesheets.
- D. **Computation** – An individual who performs duties for which hazardous duty pay differential is authorized shall be paid the hazard differential for those hours hazardous duty is actually performed. Hazard pay shall be computed on the basis of an individual’s basic compensation and shall be paid in addition to any other compensation which the individual earns under other authority.
- E. **Prescribed Fire** – Prescribed fire does not meet fire line hazard definition for hazard pay unless the prescribed fire burns out of prescription and is declared a wildfire by the Incident Commander/Burn Boss.

## **SELECTED DIVISION POLICIES**

Below are selected Division Policies that pertain specifically to the Fire Management Program. A complete listing of FFSL policies can be found on the division’s innerweb FFSL Enterprise at this address: <https://ffsl.link/EnterprisePolicies> - for the QR code see 2.2 on page 130.

Revision Date: 2/22/2022

## **FFL-03-A-12 ALL TERRAIN VEHICLE (ATV) AND UTILITY TASK VEHICLE (UTV) USE -- TRAINING REQUIREMENTS AND PERSONAL PROTECTIVE EQUIPMENT (PPE)**

### **I. PURPOSE**

The purpose of this policy is to define the Division requirements regarding the use of off highway vehicles including All Terrain Vehicles (ATV) and Utility Task Vehicles (UTV) in the course of executing assigned work duties.

### **II. DEFINITIONS**

**ATV:** all-terrain vehicle, a vehicle that travels on low-pressure tires, with a seat that is straddled by the operator, along with handlebars for steering control. It is designed to handle a wider variety of terrain than most other vehicles. Generally not street-legal. The rider sits on and operates these vehicles like a motorcycle, but the extra wheels give more stability at slower speeds. Most are equipped with three or four wheels.

**UTV:** utility task vehicle, sometimes referred to as a "side by side". Primarily an off-highway vehicle, however, some can be licensed for use on public streets in some states. Generally larger and more powerful than an ATV, specifically intended for utility use including the transportation of persons and cargo. These vehicles are equipped with a non-straddle seat, are equipped with roll over protection.

### **III. POLICY**

Due to the potentially hazardous nature of operating these types of vehicles, it shall be the policy of this Division that prior to the use or operation of these vehicles FFSL employees shall:

#### **A. Obtain and Maintain Training**

1. Obtain formalized training in which the instructor "certifies" that the employee has received no less than four (4) hours of a combination of instruction in safety procedures, proper use of safety equipment, safe ATV/UTV operating guidelines and operation proficiency, and loading, unloading and transporting. Use of a standardized training program used by the Utah Department of Natural Resources or a partner agency such as the U.S. Forest Service or Bureau of Land Management is acceptable and recommended for this purpose.
2. Written documentation of training received and successful completion shall become a part of the employee's training file.
3. Refresher training may be required if there is an accident, an incident involving negligence, or at a supervisor's discretion.

## B. Use Personal Protective Equipment (PPE)

1. All employees operating/riding ATV/UTVs shall wear proper PPE while engaging in these activities.

**ATV PPE:** Employees shall wear: An approved motorcycle type helmet (DOT or SNELL certified) with chin strap, leather gloves, long pants, boots, and a long-sleeved shirt.

**UTV PPE:** A helmet is not required when operating a UTV with roll over protection. Operators shall wear long pants, long sleeved shirt, boots, and gloves.

2. Appropriate wildland fire PPE is required when operating ATV/UTVs on wildfire/prescribed fire incidents.

## C. Take Safety Precautions

1. Employees will inform supervisors when ATV/UTVs will be used for project work, fire suppression, or prescribed fire activities. Projects requiring ATV/UTV use will have communication and medical plans in place and all employees will be briefed on safe work practices and emergency procedures.
2. When possible, employees using ATV/UTVs should not work alone. Additional people should be on site to assist in the event of mechanical problems or an emergency. ATVs should travel in pairs when possible, each rider on their own vehicle. The purpose for this is to provide a second vehicle in the event of mechanical issues or an accident.
3. ATV/UTVs shall be operated at reasonable speeds and within the rider's skill level, while following the manufacturer's operating recommendations.

## FFL-14-A-16: MEDIA POLICY

### I. PURPOSE

The purpose of this document is to define the policy for Division of Forestry, Fire and State Lands staff dealing with media relations.

### II. POLICY

Consistent with the legal and privacy rights of involved individuals and other confidentiality requirements, the division will establish a protocol for the dissemination of factual accounts of incidents of public interest. Additionally, the division will strive to gain public understanding of all objectives and



policies by informing and educating through a variety of resources, capturing feedback when possible.

### **III. DEFINITIONS**

News Release: Any dissemination of information in written or graphic form including conventional press releases, pre-written stories/articles, emails and other electronic media.

Electronic Media: Any means of presenting information on an electronic device. This includes, but is not limited to: websites, blogs, social networking posts, slideshows, audio recordings, news comment boards, photographs and video.

### **IV. PROCEDURES**

- A. The division will seek to establish a cooperative climate in which the media can obtain information on matters of public interest in a manner that does not hamper the efficient and effective discharge of the division's obligations. However, certain information must be withheld from the media for a number of reasons: 1) to protect the division from future litigation, 2) to protect the constitutional rights of the accused 2) to avoid interfering with an open court case or an ongoing investigation, or 3) because it is legally privileged. Outside of those basic exceptions as defined by the Government Records Access and Management Act, the division will adhere to a policy of maximum disclosure with a minimum delay.
- B. Media representatives will not be treated preferentially relative to any other group or individual. However, "exclusive" stories will be honored when a reporter has information that has not been released and that information will not provide information to other media representatives unless they specifically query for that information. Problems with news media representatives by division employees should be reported to the division Public Information Officer (PIO) who will assist in maintaining a good working relationship with news media.
- C. Responsibility for releasing of information.

All information concerning law enforcement operations and administrative matters including Decision Documents and division policies shall only be made by the division director, division deputy director or public information officer unless delegated to another employee.

  1. All other employees will obtain permission from their supervisor before making any releases except as authorized.

2. Employees will only release information within their area of responsibility ensuring it contains all information necessary for broad public understanding of the issue at hand. All other queries will be referred to their supervisor or Division PIO.
  3. All information concerning active wildland fire incidents shall be coordinated through the incident commander or his/her designee i.e. Fire Information Officer.
  4. Pre-recorded, recurring PSA announcements representing the division on local radio or TV shall be approved by the Area Manager AND Division PIO.
- D. News releases dealing with sensitive and/or controversial issues shall be reviewed by the division public information officer, or division director's office prior to release. In deciding whether or not an issue is "sensitive or controversial", employees should err on the side of caution.
- E. Information may be distributed by a variety of media including interviews, news releases, public notices, public meetings and electronic media including but not limited to: official division sites, public blogs, news comment boards, media sharing networks and social networking sites. In posting information to the internet, employees shall not disseminate information inconsistent with this policy. The use of any electronic media to represent the Division falls under the same rules and approvals as news releases, interviews and other more traditional methods of information dissemination. Employees shall not post information to the internet (officially or personally) that would prematurely release sensitive information or misrepresent the division.

In all cases, employees should avoid speculation and focus on known facts. Staff should be mindful that posting work-related information or activities on their personal social media accounts or websites reflects on the professionalism of the Division and their work unit. Official division accounts on blogging, media sharing or social media networks shall be coordinated through the division PIO to ensure consistency and to avoid dilution of the division's online presence.

Revision Date: 5/2/2019

## FFL-96-B-1: FIRE PERSONNEL -- PHYSICAL FITNESS & TRAINING REQUIREMENTS

### I. PURPOSE

The purpose of this policy is to define the physical fitness and training requirements for all fire management, fire suppression, and fire support personnel within the Division of Forestry, Fire and State Lands (FFSL).

### II. POLICY

Due to the hazardous nature of wildland fire suppression, the Division adopts the National Wildfire Coordinating Group's (NWCG) fitness and training standards as contained in the National Incident Management System, Wildland Fire Qualification System Guide (PMS 310-1), with exceptions identified by the State of Utah Wildfire Certification and Training Committee. This guide, PMS 310-1, requires that participating individuals meet standard training, experience and physical fitness criteria, consistent with their duties.

#### A. Physical Fitness

To ensure that all Division fire management and suppression activities are conducted in a safe and effective manner, the Division has determined that all employees and other personnel representing the Division in fire management, suppression, or support duties are required to pass the Work Capacity Test (Pack Test). The Pack Test, at the arduous, moderate, or light designation, will be determined by the level of fitness required for the position(s) filled as outlined in the PMS 310-1.

**Arduous** — "Duties involve field work requiring physical performance calling for above-average endurance and superior conditioning. These duties may include an occasional demand for extraordinarily strenuous activities in emergencies under adverse environmental conditions and over extended periods. Requirements include running, walking, climbing, jumping, twisting, bending, and lifting more than 50 pounds; the pace of work is typically set by the emergency condition." (NWCG 310-1) This test entails walking three miles with a 45-pound pack within 45 minutes with an elevation allowance.

**Moderate** — "Duties involve field work requiring complete control of all physical faculties and may include considerable walking over irregular ground, standing for long periods, lifting 25 to 50 pounds, climbing, bending, stooping, squatting, twisting, and reaching. Occasional demands may be required for moderately strenuous activities in emergencies over long periods. Individuals usually set their own work pace." (NWCG

310-1) This test entails walking two miles with a 25-pound pack within 30 minutes with an elevation allowance.

**Light** — “Duties mainly involve office-type work with occasional field activity characterized by light physical exertion requiring basic good health. Activities may include climbing stairs, standing, operating a vehicle, and long hours of work, as well as some bending, stooping, or light lifting. Individuals almost always can govern the extent and pace of their physical activity.” (NWCG 310-1) This test entails walking one mile with no pack within 16 minutes with an elevation allowance.

The standards for administering a Pack Test are found in the “Work Capacity Test Administrators Guide” (NFES 1109) as well as Division-specific standards defined in FFSL SOP-0002. Administration of the Pack Test must be by an individual designated by the Fire Management Officer (FMO), or their designee, who can witness the employee’s performance and verify the elapsed time.

## **B. Training**

Division personnel performing wildfire management, suppression and/or support duties (examples are logistics, public information officer, and planning) will complete the training identified in the PMS 310-1 with modifications made by the Utah Wildfire Certification and Training Committee. Review the FFSL Health and Fitness Program (HFP) for additional guidance. The Division has adopted the Incident Qualification System (IQS) to document and certify employees with a valid red card. The Area FMO is responsible for ensuring all personnel in their respective Area are qualified for the position(s) represented on their red card.

*Revision Date: 5/2/2019*

## **FFL-96-B-2 ROLES FOR FIRE ACTIVITY LEVELS**

### **I. PURPOSE**

The purpose of this policy is to define the roles of the Division’s Fire Management Program staff at the various levels of fire danger and activity.

### **II. POLICY**

To ensure all fire personnel perform at maximum capability and the Division manages all fire situations in an effective and coordinated manner, the following preparedness levels and corresponding operating guidelines are established.

## General Guidance for Roles

In times of elevating planning levels, the role of Area Manager and Area Fire Management Officer (FMO) may be restricted to one of support of fire suppression efforts and should preclude them from assisting in the operational engagement of a specific fire. It is imperative that supervisors assure that work/rest guidelines (2 to 1) are followed and mitigated if exceeded. Supervisors will also monitor days off to assure mitigation of short-term and long-term fatigue of all personnel.

The State FMO and related state office (SO) fire staff\* serve primarily in an agency support role. However, some situations may require their direct support to the field staff or a specific incident. In these instances, SO fire staff will coordinate any direct support functions with the Area Manager and Area FMO. SO fire staff might assist with briefing an incident management team, negotiating a cost share agreement, cost tracking or other fire business support, managing days off (relieving local staff for days off), logistical support, and providing any additional agency support as agreed upon by the Area Manager and State FMO.

The State Forester, in consultation with the State FMO, may authorize Division fire staff to enter "On-Call Status" regardless of planning level.

The primary responsibilities for administration and coordination of the Fire Management Program in the field resides with the Area FMO as directed by the Area Manager.

\*SO fire staff: State FMO, Assistant State FMO, Public Information Officer, Fire Business Manager and Assistant Fire Business Specialist, Prevention and Education, Logistics (as of March 2019)

Because the preparedness level can vary across the state, the Area or local preparedness level will be determined by the local Interagency Fire Center as calculated by fire danger modeling.

### A. Local Preparedness Level 1: *Staffing Requirements*

The Area FMO and county fire wardens are on-call during "waiting periods" outside normal work hours from June 1 through October 31 unless conditions dictate otherwise (see NR-97-B-1b and FFL-96-B-3).

A qualified Operational Duty Officer will be on-call 24 hours/day, seven days/week in each Area to support Area fire personnel. A qualified Operational Duty Officer for the Division is, at a minimum, a Type IV Incident Commander (current or previous) and has completed the Division Duty Officer training. Variations of this staffing standard must be approved by the Area Manager after consultation with the State FMO.

A SO fire staff member will serve as the State Duty Officer and will be on-call 24 hours/day, seven days/week to coordinate and/or support fire needs at the state level.

**B. Local Preparedness Level 2: *Staffing Requirements***

All actions taken at Preparedness Level 1 and:

State Duty Officer coordinates support needs with area offices and field personnel if requested and provides timely information regarding emerging and on-going incidents to the State Forester, Division Deputy Director, Division Public Information Officer, and Division of Emergency Management.

**C. Local Preparedness Level 3: *Staffing Requirements***

All actions taken at Preparedness Level 2 and:

Additional State and Area fire staff may be placed on on-call status as necessary. The Area Manager, based on recommendations from the Area FMO, will determine the need for additional on-call staff based on fire activity and required support. The State FMO may approve additional staffing based on fire activity and required support.

**D. Local Preparedness Level 4: *Staffing Requirements***

All actions taken at Preparedness Level 3 plus:

With concurrence of the State Forester, all qualified fire personnel (Area Manager, Area FMO, Fire Wardens and all SO fire staff) are on-call 24 hours/day, seven days/week. Other fireline qualified personnel may be placed on-call to augment Area initial attack (IA) operations and provide days off as requested by the Area FMO and approved by the Area Manager. Supervisors will ensure all personnel are given time to rest and recuperate prior to accepting a new fire assignment (DNR-23-19).

**E. Local Preparedness Level 5: *Staffing Requirements***

All actions at Preparedness Level 4.

F. Overview of Actions

<b>Position</b>	<b>Local Preparedness Level 1</b>	<b>Local Preparedness Level 2</b>	<b>Local Preparedness Level 3</b>	<b>Local Preparedness Level 4</b>	<b>Local Preparedness Level 5</b>
Fire Wardens, Assistant Wardens, & IA Engine Crews	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate
Area FMO	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate
Area Manager	May share on-call status if qualified or as conditions dictate	May share on-call status if qualified or as conditions dictate	May share on-call status if qualified or as conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate
SO Fire Staff	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate	On-call 24/7, June 1 through October 31 unless conditions dictate	All SO Fire Staff is on-call 24/7. Coordination with DNR Governor's Office, UDOT, DEM & FEMA. Ensure all personnel are given regular R&R.	Same as PL4.

## **G. Lone Peak Conservation Center Resources**

Suppression resources from the Lone Peak Conservation Center (LPCC) will be used within the National Mobilization System. The Northern Utah Interagency Fire Center (NUIFC) is the primary dispatch for LPCC resources. The State FMO will be notified by NUIFC when assignments are given to LPCC suppression resources. When LPCC resources are assigned outside the NUIFC area, those resources may be dispatched by the local Interagency Fire Center.

The Lone Peak and Alta Interagency Hotshots are national resources and will be used and dispatched in accordance with the procedures established for national crews.

At Great Basin Preparedness Levels 1, 2 and 3, LPCC resources will remain available and the LPCC Manager or designee may accept assignments for themselves or LPCC resources. At Preparedness Levels 4 and 5, a weekly decision will be made by the LPCC Manager and State FMO to determine the availability of LPCC resources for out-of-state assignments. Availability will be based on a review of Utah's current fire resources and wildland fire conditions. The LPCC Manager will then inform NUIFC of LPCC resource availability.

If the decision is to maintain LPCC resources within the State of Utah, those resources affected will be placed in paid standby status and may be pre-positioned. Duty days will be a minimum of twelve hours and a staging manager from LPCC will be assigned. The crew(s) and manager will be ordered through NUIFC. Continued standby will be determined each day by 1800 hours.

As conditions moderate, the State FMO or designee will consult with the LPCC Manager to discuss the need to change resource status. Once an LPCC has been approved for an out-of-state assignment, the LPCC Manager or designee will accept resource orders from NUIFC without delay.



(Revision Date: 5/2/2019)

## FFL-96-B-3: FIRE PERSONNEL — ON-CALL STATUS

### I. PURPOSE

The purpose of this policy is to define “On-Call Status” for Division personnel and establish guidelines for its use.

### II. POLICY

“On-Call Status” requires personnel to respond to a request for assistance outside their normal work hours. On-Call personnel have been designated to be available for fire suppression activities or other response purposes outside normal working hours (determined by employee’s official designated work schedule) during the statutory “closed fire season.” Personnel must be available to respond to a request for assistance within 30 minutes by telephone, radio or in-person. On-Call personnel may engage in personnel activities that do not conflict with the 30-minute response. “On-Call Status” is intended for in state usage; however, exceptions may be granted (see D. below).

Each year in advance of the statutory closed fire season (before June 1), the Division Director will pre-approve a list each of fire management personnel that are authorized “On-Call Status” and when they are authorized to be in such status. The designated on-call period is statutory closed fire season (June 1st through October 31st each year)duration unless directed otherwise by the State Fire Management Officer with Division Director support.

- A. Compensation of on-call hours is at a rate of one hour paid for every twelve hours of “On-Call Status” and will be charged to unit code 1810 in state only.
- B. Roles of various on-call personnel are defined in policy FFL-96-B-2.
- C. All personnel in “On-Call Status” shall be fit for duty, and the consumption of any intoxicants is prohibited while in “On-Call Status.”
- D. Any situation that may require “On-Call Status” outside the defined in state application, such as out-of-state fire assignments or all hazard assignments, must be approved by the State FMO. In those approved cases, a memo (see attachment) from the requesting entity must be included with agency timesheets. Unit budgets will be charged the expense using 1810, reimbursements must be pursued through the Divisions Fire Business System.



To whom it may concern,

\_\_\_\_\_ is a State of Utah firefighting resource for the Division of Forestry, Fire and State Lands (FFSL) stationed at the \_\_\_\_\_ office in \_\_\_\_\_, Utah.

As per State of Utah policy, designated personnel may respond to a request for assistance outside their normal working hours. Individuals may carry out personal activities while in on-call status but have designated time periods to be available for response to coordinate fire suppression activities outside normal working hours.

They are compensated for the time that they are in on-call status at the rate of one hour paid for every 12 hours on call prorated accordingly and paid by the State of Utah. While on-call, they must be able to respond to a request for assistance according to expectations of hosting agency. FFSL will seek actual reimbursement for the additional service as part of the assignment commitment.

When the \_\_\_\_\_ is mobilized to a fire and committed until released, on-call pay will cease until an agreement or CTR shows otherwise or renegotiated.

In order to collect on-call pay from its employer (FFSL), the \_\_\_\_\_ is deemed to be available for dispatch throughout the entirety of their stay in the agency/district hosting them for initial attack, repositioning, severity or other conditions that may require less hourly commitment. We respectfully request this document be signed by an official of the agency/district hosting the crew.

Sincerely,

Hosting Agency Information

Official's Name: \_\_\_\_\_  
Official's Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

Incident # \_\_\_\_\_  
Title: \_\_\_\_\_

1594 West North Temple, Suite 3520, PO Box 145703, Salt Lake City, UT 84114-5703  
telephone (801) 538-5555 - fax (801) 533-4111 - TTY (801) 538-7458 - [www.ffsl.utah.gov](http://www.ffsl.utah.gov)



Revision Date: 4/2017

## FFL-96-B-5 EMERGENCY VEHICLE POLICY

### I. PURPOSE

The purpose of this policy is to provide guidance for the designation, equipping, and operation of emergency vehicles within the Division. Normal driving involves risk; operating an emergency vehicle involves a greater risk, especially when exceeding speed limits, bypassing traffic signals and passing in non-designated lanes. As employee and public safety is the first priority in all aspects of work done by the Division, this policy is intended to minimize risk to the public and employees.

## **II. DEFINITIONS**

“Operate as an Emergency Vehicle” (also referred to as “Code” or “Code 3”) means driving a vehicle with emergency lights and/or sirens activated on a public road with the intention of expediting arrival at a destination. Using lights and/or siren after arriving at an incident or while stationary is not considered “operating an emergency vehicle.”

## **III. POLICY**

In order to execute the provisions of Title 65A, which charges the Division with fire protection and law enforcement responsibilities, this policy on emergency vehicle designation, equipping and operation has been adopted. It is intended to provide for the safety of the general public as well as Division personnel in the discharge of their employment duties. Division employees are frequently required to respond to emergency situations. This is primarily related to wildfires involving smoky, dusty and congested environments. Visibility is a critical safety need while responding, working fires or assisting with traffic control and evacuation. In cases where life and/or homes are in danger, the need may arise to respond in a safe, expedited manner.

## **IV. DESIGNATION OF EMERGENCY VEHICLES**

The Division recognizes the following classes of emergency vehicles: (1) those vehicles used for law enforcement purposes; (2) those vehicles used for fire management/suppression purposes (referred to as “Fire Management Vehicles.”).

All emergency vehicles, as described above, will be equipped and operated in strict compliance with provisions outlined in the Motor Vehicle Code of the State of Utah (U.C.A. 41-6a 212, 904, 1603, 1616 and 1625).

Only those individuals employed by the Division in fire management or as a certified peace officer, or expressly authorized in writing by the state FMO, are permitted to operate a Division vehicle as an emergency vehicle.

Division employees shall not operate a personally owned vehicle as an emergency vehicle.

## **V. EMERGENCY VEHICLE EQUIPMENT**

Law enforcement vehicles shall be equipped with flashing white, red, and blue lights with a rear amber traffic bar. In compliance with U.C.A., 41-6a-1616 blue lights shall not be installed or used on any vehicles other

than law enforcement. Audible signals in the form of sirens shall also be installed.

Fire management vehicles shall be equipped with red, white and/or amber flashing lights and an amber traffic bar. When flashing lights are installed, audible signals in the form of sirens should also be installed. Vehicles not equipped with emergency lights and siren shall not be used as an emergency vehicle.

## **VI. NON-EMERGENCY VEHICLE USE**

All Division vehicles not assigned to a fire management employee or a certified peace officer will be considered a non-emergency vehicle and will not be equipped as an emergency vehicle. Division non-emergency vehicles may be equipped with amber light bars for visibility.

## **VII. OPERATING REQUIREMENTS**

All operators of Division vehicles will have completed the "Utah Department of Risk Management Driver Training Test" and maintain currency of this certification.

All operators of an emergency vehicle shall complete a Division-approved Emergency Vehicle Operations Course before operating with lights and sirens on public roads. Each operator shall complete two hours of Emergency Vehicle Operation training every two years. When operating a vehicle under authorized emergency conditions, each operator will comply with the applicable provisions of:

- UCA 41-6a 212 Emergency Vehicles - for QR code see 2.3 on page 130.
- UCA 41-6a 904 Right of Way Approaching Emergency Vehicle -- Necessary Signals -- Stationary Emergency Vehicle -- Duties of Respective Operators - for QR code see 2.4 on page 130.
- UCA 41-6a 1603 Lights and Illuminating Devices - for QR code see 2.5 on page 130.
- UCA 41-6a 1616 Red or Blue Lights Flashing Lights - for QR code see 2.6 on page 130.
- UCA 41-6a-1625 Horns and Warning Devices -- Emergency Vehicles - for QR code see 2.7 on page 130.

Due to added weight and reduced maneuverability, fire engines are not permitted to exceed posted speed limits at any time, including while operating as an emergency vehicle.

Employees shall only operate an emergency vehicle when:

1. The driver of the emergency vehicle has completed the above "Operating Requirements"; AND,

2. The operator receives supervisor approval; AND,
3. A specific request to respond “code 3” or lights and sirens has been approved by one of the following:
  - an on-scene official (peace officer, fire official, state or area FMO)
  - an emergency dispatch center
  - an immediate threat to life or structures is known
  - according to local cooperator policy
4. During response to a public safety emergency, there arises a temporary need to bypass traffic congestion, road construction, traffic flow restrictions or other traffic impediments. In these situations, speed limits and all traffic control devices and signs shall be observed.

*Effective Date: 5/1/1999*

## **FFL-96-B-6 FEDERAL EXCESS PERSONAL PROPERTY (FEPP) REQUISITION PROCEDURES**

### **I. PURPOSE**

The purpose of this policy is to establish procedures for requisition and allocation of Federal Excess Personal Property to maintain or enhance rural fire protection in Utah. The requisition process will consider several factors for placement of FEPP including fire protection needs the applicant’s ability (and commitment) to put FEPP apparatus into operation in a reasonable time, and their willingness to assist in transporting FEPP once acquired.

### **II. POLICY**

A written request is required for all FEPP to be obtained and shall be submitted by the applicant to the District Fire Warden, Area Forester or Area Manager. Requests from local Fire Departments or other county organizations must be approved by the County Legislative Body.

The written request shall be submitted on “Request for FEPP” form. The area manager or designated representative assigns a priority ranking to each request and sends all relevant material to the Fire Manager Coordinator. This data will be used by the fire management work unit to establish statewide priorities for placement of FEPP.

Requests for FEPP will only be filled after a signed FEPP agreement with the county has been submitted. The agreement outlines the requirements and restrictions for FEPP, such as conditions of use, cooperators maintenance responsibilities, proper disposal procedures, procedures to use for parts and safety inspection/ registration needs.

The Area Manager is responsible for providing a priority for FEPP requests by equipment type ( 4x4 pickup, 2½ ton 6x6, etc.) to the FEPP Manager.

Area managers are responsible for periodically updating the priority list as circumstances require. This occurs when placement of a priority request, replacement of existing unit in poor condition or additional requests for equipment.

The FEPP Manager shall provide a status report to the Fire Management Coordinator and Area Manager for each area on a quarterly basis.

Requests for FEPP may not be filled by the end of a quarter due to reprioritizing by the Area Manager or their designated representative.

Applicants will have assigned FEPP in operational condition for firefighting within 12 months of its receipt. If an FEPP unit is not operational within this time frame it may be reassigned.

The following is the acquisition priority ranking for FEPP by type and use: First, acquiring vehicles to replace existing units older than 1970 or vehicles which need added pump/tank units and fire apparatus for interface use. Second, adding safety equipment, heavy equipment, pumps and other small firefighting equipment. Third is support equipment such as generators, lighting systems or cooking equipment.

The FEPP Manager will attempt to acquire and fill all requests for first priority items and then move down the priority list.

The Division will not acquire any FEPP that the military declared excess because it has been determined to be unsafe and/or it no longer meets military standards related to personal safety. We will acquire only FEPP that does not pose a safety hazard.

Forestry, Fire and State Lands normally will not acquire non-accountable small item FEPP. In instances that a highly desirable non-accountable item is available and easy to place with cooperators, it may be acquired and will be marked as federal property. This property will be tracked through maintaining a paper trail showing placement with specific cooperators, proper disposal and documentation on the appropriate forms.

Applicants shall arrange for removal of assigned FEPP from the Division's storage yard preferably within 30 days of notification of its availability. Arrangements may be made to pick up and remove FEPP from a federal installation which will most likely require quicker response. Failure to pick up FEPP in a reasonable time could result in the property being lost or being assigned to another applicant/cooperator.

**The federal government retains title to Federal Excess Personal Property.**

This property is on loan to the State of Utah who then loans it to cooperators.

**Disposal of FEPP is done by the federal government after a cooperator and the Division determine it is no longer useful to the fire program.** FEPP items to

be disposed of must have a disposal data-accountable property form completed and submitted to the fire management work unit or FEPP Manager.

The initial application to register and acquire license plates for a FEPP vehicle will be handled by the Division. This will assist in proper registration which clearly indicates ownership is retained by the federal government and the co-operator's address/fleet number. The Department of Motor Vehicles (DMV) will send annual registration information to the assigned cooperator.

The applicant/cooperator is responsible for meeting the annual registration requirement of the state DMV. If a cooperator fails to meet this requirement and DMV revokes the registration/license plates the FEPP unit may be reassigned. The annual preseason and post season inspection of FEPP will indicate if this requirement is being met.

The Division of Forestry, Fire and State Lands provides all FEPP to our cooperators in as-is condition. The Division takes no responsibility to repair or replace an FEPP unit which does not meet a cooperator's expectations. **There is no warranty of any kind provided by the Division.**

*Effective Date: 5/1/1999*

## **FFL-99-B-7 FEDERAL EXCESS PERSONAL PROPERTY ACCOUNTABILITY PROCEDURES**

### **I. PURPOSE**

The purpose of this policy is to define the procedures to be followed to acquire Federal Excess Personal Property (FEPP) and to meet federal requirements related to such acquisition.

### **II. POLICY**

The Utah Division of Forestry, Fire and State Lands will requisition only FEPP that the State Fire Program can and will use effectively. The Division will acquire only FEPP authorized by agreement between the National Association of State Foresters and the U.S.D.A. Forest Service.

All requests for acquisition of FEPP will be submitted on a SF-122 form that will be submitted to R-4 of the Forest Service for approval. An approved standard transfer request (Form 122) will normally be handled the same day received and will be forwarded to General Services Administration (GSA) or other property holder. Every effort will be made to meet any requested rush on a Form 122 to insure successful acquisition.

Upon receipt of a Form 122, GSA will sign the form indicating approval for pick up of the FEPP item. A copy is then sent to R-4 Forest Service and the State. The State or a cooperator shall attempt to pick up as soon as practical which must be within the time established by the Department of Defense (DOD) and/

or GSA. If the State is unable to meet the time frame for picking up the property, it is left to the discretion of GSA to reassign the property.

The Utah Division of Forestry, Fire and State Lands will provide annually, by February 15, a list of FEPP items to review. This list will be sorted by type and assigned number and given to R-4 Forest Service. If an assigned item is not on this list, the Division will provide a justification statement and a reasonable explanation of where the item is located. A reasonable explanation may include one of the following: quantities are high in relation to normal requirements, property is being acquired for cannibalization or it is not readily apparent the equipment is useful in the State's fire program.

Accountable property obtained for the purpose of cannibalization for useable parts will be clearly indicated on the SF-122 and a justification statement attached to the SF-122.

All FEPP with an acquisition cost of \$5,000 and above is accountable property which will be placed on the Division's FEPP inventory. Any FEPP that has been identified as sensitive by the Forest Service will be placed on the inventory as well. All accountable FEPP will have an FEPP property metal tag riveted on the equipment with a state property ID number etched on it. The property tag will be installed on the vehicle at the time the equipment is picked up by the state from the federal facility at which it is located. If a cooperator picks up the equipment from the federal facility a property tag will be placed on the equipment as soon as practical, but no later than the first physical inspection done to determine condition, use and location.

The Division will submit a copy of the SF-122 to the Forest Service within one to two weeks after the FEPP equipment is received from the federal facility. The state will provide the assigned NFC number for each item, the serial number and the state's property ID number. The state shall provide all other pertinent data such as year of manufacture, manufacturer, type or use for equipment and assigned location if available. If only a portion of the FEPP is available at time of pickup, the remaining items shall be deferred for pick up at a later date. This will be indicated in writing on the SF-122 from the Forest Service. A list shall be submitted showing what equipment has been received with an explanation why other equipment is still pending.

The Division's FEPP manager will enter FEPP data on the State's FEPP inventory within two weeks of completing the SF-122. The Division FEPP manager will periodically check to ensure the FS Property Management Officer has added the equipment to their Property Management Inventory System (PMIS).

Any piece of accountable FEPP placed by the Division that relocates to another area shall be recorded on a property transfer document. A copy of the transfer



document will be sent to the main office within two weeks of the transfer. The transfer document must be filled out completely.

The Division will do a physical inventory of accountable FEPP at least once a year by the assigned FEPP committee. The State FEPP manager will provide to each area manager an updated copy of the FEPP inventory in May and September for their area. The physical inventory will require completing an FEPP Vehicle Inspection Report form and sending copies to the state office. The data provided will be used to update the State's FEPP Inventory.

Any FEPP that is damaged or destroyed in an accident will be reported to the state office within 24 hours. A written accident report will be provided within 10 days. The State FEPP manager will notify the Forest Service within 24 hours of notification of an accident. A written report will be sent to the Forest Service within 24 hours of its receipt. Any FEPP that has been lost or stolen will be reported to the state office as soon as discovered. This will be documented on the appropriate forms within ten days after the incident and sent to the Forest Service.

All disposal of FEPP, accountable and non-accountable property, will be with written approval of the Forest Service and/or GSA. Disposal will only be done per the following approved authorized methods: transfer, donation, trade-in, sale or abandonment/destruction.

A SF-120 disposal form will be submitted for all federal property which is identified as excess or no longer needed in the program. The Division is responsible to dispose of items throughout the year as needed to avoid a large number of disposal items built up in storage.

Twice yearly, January and July normally, R-4 Forest Service will send a copy of the FEPP inventory to the State Forester to reconcile our inventory records. The Division's FEPP manager shall review the Forest Service PMIS to verify records within four weeks upon receipt. Discrepancies will be noted and appropriate paperwork provided to resolve the differences. As changes and updates are made to inventories, the National Finance Center periodically provides documentation of what transactions have been done. The Forest Service shall forward such summaries to the State Forester in order for the Division to confirm accuracy and be aware of the adjustments that were made to the PMIS.

For specific information on FEPP accountability related to overall management, the cooperator, area manager or state personnel shall consult the FEPP Desk Guide.

*Revision Date: 3/9/2020*

## **FFL-00-B-8 BACKGROUND CHECKS**

### **I. BACKGROUND**

Hiring officials within the Division have often questioned the need for or even attempted to administer a background check for various agency positions. As of the effective date of this policy revision, per DNR requirements, a background check is required for only one Division position, the Deputy Fire Marshall.

### **II. PURPOSE**

The purpose of this policy is to clarify the need for a background check and ensure DNR policy NR-95-C-1 is followed as it pertains to the requirements for a Law Enforcement Officer (LEO). Any future change in background check policies or practices will be administered through Department policy and, therefore, may require a Division policy revision.

### **III. POLICY**

It is the policy of the Division to follow DNR policy NR-95-C-1 and its requirements for hiring and training of a LEO, including the Division's Deputy Fire Marshal position. The hiring official conducting the recruitment will consult with the Division's Human Resource Analyst and follow all procedures for hiring and selection to ensure policy compliance. No other Division position requires a background check and no other Division employees shall be subject to a background check unless or until DNR policy dictates.

*Revision Date: 6/20/2019*

## **FFL-04-B-10 FIRE PERSONNEL — INCIDENT MANAGEMENT TEAM PARTICIPATION AND INCIDENT RESOURCE SUPPORT RESPONSE**

### **I. PURPOSE**

The purpose of this policy is to define the process by which Division employees are selected to participate with an Incident Management Team (IMT) of any type or gain approval to support an incident as a single resource or addition to other resource types such as an engine, helicopter, crew, or squad.

### **II. SCOPE**

The Division receives numerous benefits from its employees' participation with IMTs and other specialty incident assignments. It is the Division's intent to allow qualified and interested employees the opportunity to fulfill assignments that may fall outside of their primary job responsibilities. An employee must be willing to serve and have both supervisor support and adequate contingency measures in place [e.g., qualified backfill for the entire assignment]. Time commitments for deployments may vary from a

single day or single tour assignment (up to 14 days exclusive of travel) to full season rotations on an IMT. The scope may include local, regional or national response. For all-hazard incidents, a response may be granted with proper emergency declaration and agency support. Opportunities will be rotated over time to allow all interested staff a chance to serve.

It must be understood that incident management within the state and individual home units will take priority over IMT participation or other previously mentioned assignments. In addition, program responsibilities for Division staff in units other than Fire Management (e.g., Forestry, Sovereign Lands, Finance, I.T.), may take precedence over incident support considerations.

### III. RESPONSIBILITIES

Prior to committing staff to aforementioned assignments, the following elements must be satisfied:

- The employee's Area Manager or Program Administrator must assess the existing depth of staffing before granting a RTS opportunity
- Area Managers or Program Administrators must define the need for employee development or interagency incident support and build adequate plans to cover required workload (s)
- Agency training is completed and posted in IQS and status in ROSS is consistent with employee qualifications
- Employee understands agency/inter-agency procedures governing participation in an external assignment
- Prior approval is given by the Area and/or State Office (SO) and coverage measures are adequately communicated and meet agency requirements

### IV. PROCEDURES

1. Fill out the Request to Serve (RTS) form (see page #5) and get all local signatures as needed by position or coverage requirements. Give specific details for coverage measures to include timeframes, coverage individual(s), and how local responsibilities will be met.
2. Submit form to the State Fire Management Officer (SFMO) for consideration and recommendation to the State Forester for approval.
3. SFMO will return the form to the submitter once approved and it needs to be kept on file at the local level. If denied, the SFMO will contact the appropriate supervisor with details.

### V. CATEGORY IMPACT

1. **County Level:** Fire Wardens (FW) or Assistant Fire Wardens (AFW) or other single resources may accept assignments when adequate coverage can be provided for their county or counties. Adequate means a fully qualified engine boss to cover suppression duties for

FW's. This can be a cooperator. The Area Manager/Fire Management Officer must ensure the RTS details how suppression responsibilities will be provided in the FW's absence. The RTS must be signed and approved by the County Commissioner or Council Member prior to consideration for duty. It is the responsibility of the individual to ensure transition coverage is in place when an assignment is accepted and approved.

2. **Area Office:** In order to accept an assignment, other employees with or without primary fire responsibilities within an Area Office (e.g., Area Manager, Area Fire Management Officer, etc.) must ensure coverage for responsibilities is in place. This means a fully qualified ICT4 to replace the FMO. Management candidates need to be knowledgeable and familiar with area operations and are able to communicate with local, county, and/or state officials. These requirements may be met by one or more persons. Division employees should provide coverage for these fire management functions. In cases where an employee is providing coverage for another with primary fire responsibilities, the employee providing coverage should limit their own involvement with assignments in order to honor their commitment and avoid collateral duties. It is the responsibility of the individual to ensure coverage is in place when an assignment is accepted and approved.
3. **State Office:** Staff with or without fire suppression responsibilities at the state level must complete the RTS showing how coverage will be provided while they serve as a member of an IMT or accept other assignments. In cases where an employee is providing coverage for another employee with primary fire responsibilities, the employee providing coverage should limit their own involvement with assignments in order to honor their coverage commitment. It is the responsibility of the individual to ensure coverage is in place when an assignment is accepted and approved.
4. **Other Units:** State employees who do not have primary fire suppression responsibilities may accept assignments with permission from their supervisor and RTS approval by the SO. It is the responsibility of the individual to ensure coverage is in place when an assignment is accepted and approved.

## **VI. IMT INVOLVEMENT**

1. Regional IMT commitments are for a period of one year, except for Incident Commander, which is a three-year obligation on a Type I and II IMT. Local Type III IMTs are assembled within sub-geographic areas within the state. If selected as a primary team member, employees and supervisors are committing to the participation details as defined in the Great Basin Incident Management Team Operating Plan for a Type I and Type II IMT and the respective Area Operating Plans

for a Type III. If, during the assigned period, conditions change that affect how duties are covered in an employee's absence, further IMT participation will be re-evaluated. Division employees will notify their supervisors and follow local dispatching protocol when called out on assignments.

2. Employees with RTS approval can apply for Great Basin Type I and Type II IMTs via the ICAP portal on the Great Basin Coordination Center website during enrollment periods. The ASFMO will manage nominee questions and prioritize candidates as approved by the SFMO. Selection of team members is made in February by Incident Commanders and the Great Basin Operations Committee.

## **VII. FIRE MANAGEMENT ROLE**

The role of SO Fire Management Program staff is to coordinate fire resources as requested by a local dispatch center or the Great Basin Coordination Center, based on statewide knowledge of activities and potential impacts. Fire Management must ensure that statewide fire suppression needs are met. During the fire season, the SFMO will evaluate the state suppression activities and may advise the State Forester, and the State Forester has the discretion, to temporarily suspend Division staff from participation with IMT assignments in order to meet state priorities.

## FFSL Request to Serve

*Incident Management Team and/or Miscellaneous Overhead*

<b>Name:</b>	<b>Area:</b>	<b>Date:</b>
Do you have Primary Fire responsibility? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give current fire working title (use approved HR designator): _____		
<b>Fire Position Qualifications:</b>	First:	Second:
	Third:	Fourth:
	Trainee:	Trainee:
<b>Desire to Serve:</b>	Incident Management Team <i>(circle all that apply)</i>  Specify GB or Non-GB <ul style="list-style-type: none"> <li>• Type I</li> <li>• Type II</li> <li>• Type III</li> <li>• All Hazard IMT</li> </ul> Single Resource <input type="checkbox"/>	
Explanation of how the required fire responsibilities will be met, by whom, and for the entire request period.  _____  _____		
<b>Employee Signature:</b>		<b>Date:</b>
<b>Approved by Supervisor:</b>		<b>Date:</b>
<b>Approved by County Official:</b>		<b>Date:</b>
<b>Approved by State Fire Management Officer:</b>		<b>Date:</b>
<b>Approved by State Forester:</b>		<b>Date:</b>

Note: Document located under the "Forms" tab → "Fire Forms" in the FFSL Enterprise Portal, titled *Request to Serve on an IMT, etc.*

Effective Date: DRAFT

## FFL-04-B-11: PRESCRIBED FIRE PLANS AND PRESCRIPTIONS

### I. BACKGROUND

Title 65A-8-101 of the Utah Code directs the Division to, among other things: "determine and execute the best methods for protecting private and public property by: (a) preventing, preparing for, or mitigating the origin and spread of fire on nonfederal forest, range, watershed, or wildland urban interface land in the state; and (b) encouraging a landowner to conserve, protect, and manage

forest or other land throughout the state. Title 65A-9-1.2 goes on to describe the Division's responsibilities regarding the management of range resources by stating: "Its management shall be based on sound conservation principles, including practices to improve range conditions."

In alignment with the National Cohesive Strategy, the Division's current Strategic Plan includes a goal of "Restore and Maintain Landscapes that are Resilient to Wildfire-related Occurrences" by increasing overall support for fuels management programs and practices. An additional goal aims to "Create Fire-adapted Communities" by building communities' understanding of the risks of wildfire and ensure they know how to reduce risk to life and property.

The period of June 1 through October 31 is a closed fire season in Utah, and fire is set only under the authority of a state-issued burning permit except for the burning of fence lines on cultivated lands, canals, or irrigation ditches if meeting certain requirements. [See Title 65A-8-211, Closed Fire Season – Notice -- Burning Permits –Personal liability –Exemptions from burning Permits.] Compliance with a "Prescribed Fire Plan" is the basis for issuance of a burning permit on larger, more complex management fires.

Maintaining National Ambient Air Quality Standards is required of prescribed fire practitioners. In Utah the coordination of smoke intrusions is managed by the Division of Air Quality (DAQ). The rules and reporting procedures will be found in the most current version of the Utah Smoke Management Plan (SMP). R307-204 requires a burn plan and approval from DAQ for all prescribed fires that don't fall under Utah Code 19-2-114 or R307-202. The SMP outlines the process for submitting plans, receiving approval and reporting completion. Generally prescribed fire cannot occur within an airshed that has less than 500 clearing index. Prescribed fires can have conditional approvals with a clearing index less than 500 provided demonstration requirements outlined in Utah Code 19-2a-105, (aka 2020 House Bill 92), are met and approved by DAQ.

The potential for liability associated with assisting private landowners with prescribed fire will be addressed through the use of waivers. Division employee participation in private prescribed fire is restricted to technical assistance and holding functions and activities unless a prescribed fire plan meeting the full requirements of this policy has been developed and approved.

## **II. PURPOSE OF PRESCRIBED FIRE PLANS, PRESCRIPTIONS, AND QUALIFICATIONS**

The use of fire as a management tool shall be to protect, maintain and enhance resources and when possible, be allowed to function in its natural role in the ecosystem. The use of prescribed fire will be done in a safe, controlled, cost-effective manner to achieve resource management objectives defined in the Prescribed Fire Plan. Each prescribed fire will be conducted in compliance with an approved Prescribed Fire Plan. The Prescribed Fire Plan is a site-spe-

cific and/or condition-specific implementation document that describes how project objectives will be met and risks minimized or mitigated. It is a legal document that provides the Agency Administrator the information needed to approve the plan, landowners' informed consent, and the Prescribed Fire Burn Boss the authority under which to operate and the information needed to implement the prescribed fire. Qualification requirements certify competency of employees in alignment with industry standards.

### **III. PURPOSE OF POLICY**

The purpose of this policy is to provide for the orderly development and execution of prescribed or management-ignited fires, and to provide legally defensible standards aligned with industry standards. Prescribed fire needs to meet a variety of resource management objectives while minimizing risk and adverse impacts on public health, safety, and degradation of air quality. It is also the purpose of this policy to describe the skills and qualifications necessary for those involved in developing, executing, and approving Prescribed Fire Plans.

### **IV. POLICY STATEMENT**

It shall be the policy of the Division of Utah Forestry, Fire and State Lands to follow the National Wildfire Coordinating Group (NWCG), 2022 Standards for Prescribed Fire Planning and Implementation (PMS 484), and 2017 Prescribed Fire Complexity Rating Guide (PMS 424), (with the exception of federal agency-specific requirements such as NEPA), as well as additional requirements per the Utah Smoke Management Plan (SMP). These policies are incorporated by reference and not restated here.

#### **A. Implementation**

Prescribed burns will not be conducted when fire restrictions are in place in an area, unless written approval is given by the State Forester.

#### **B. Prescribed Fire Plans**

All prescribed burns utilizing division assistance on state or private lands, other than permitting, must have a written burn plan that has been reviewed and approved by the Division (R652-120-700). What constitutes a burn plan, reviewal, and approval depends on the level of Division involvement:

1. All prescribed burns involving Division employees acting or assisting in Burn Boss or ignition functions and activities must have an approved Prescribed Fire Plan meeting the following NWCG Standards. All planned ignitions must also have an approved Prescribed Fire Plan submitted to DAQ per the current SMP. Each Prescribed Fire Plan will contain the minimum information, analysis, and data indicated in the 2022 NWCG Standards for Prescribed



Fire Planning and Implementation (PMS 484), and 2017 Prescribed Fire Complexity Rating Guide (PMS 424) as well as additional requirements per the Utah SMP. All existing plans will be updated to these minimum standards and guide before use. In the event of updates to the NWCG standards or guide after publication of this policy, those updates may be used to meet these requirements; however, are not required until this policy is updated.

2. Prescribed burns utilizing division assistance other than Burn Boss or ignition functions and activities, (i.e. technical assistance, holding activities and functions), on private lands shall include at a minimum information to determine management objectives and procedures to safely attain the objectives. Information will be provided to deal with safety concerns and smoke management. The Burn Boss shall notify adjacent landowners prior to the burn. The burn plan will detail needs to ensure the prescribed burn occurs within prescription; however, the private landowner does not need to meet NWCG Prescribed Fire Planning and Implementation Standards. Approval of the plan (for employee participation), can be done at the local Area Manager level and only considers the preceding items stated in this paragraph, and does not infer or imply any liability on the division. The potential for liability associated with assisting private landowners with prescribed fire will be addressed through the use of waivers.

### **Programmatic Plans**

1. Programmatic Low Complexity Prescribed Fire Plans can be used, and are recommended for prescribed fire projects having similar conditions, i.e. fuel types, terrain, weather, and/or other prescriptive factors, risk and mitigation, and employs the same types of firing and holding tactics. Site-specific unit information may not be known until implementation. When known, this information is incorporated into the Prescribed Fire Plan without technical review or amendment. Programmatic Low Complexity Plans can be prepared to address broad areas, such as administrative units, areas, or dispatch zones.
2. Programmatic Moderate/High-Complexity Plan is used for prescribed fire projects with multiple ignition units that can be ignited separately or concurrently. Each unit has site-specific information developed for applicable plan elements such as ignition, holding, and contingency prior to technical review and approval.

### **Lifespan**

A Prescribed Fire Plan shall be considered valid once approved for 5 years or if conditions change where original analysis may be invalid.

After 5 years, plans shall be thoroughly reviewed, updated if necessary, and reapproved.

### **C. Prescribed Fire Implementation Qualifications**

Only personnel certified as fully qualified will be assigned duties in prescribed fire, notwithstanding trainees under qualified supervision. Minimum qualifications are based on the National Wildfire Coordinating Group (NWCG) Wildland and Prescribed Fire Qualification Guide (PMS-310-1/January 2023), which have been modified to meet agency needs. The Division additionally requires the training identified in the PMS 310-1 as “Other training which supports Development of Knowledge and Skills” for any new RXB2 or RXB1 qualification. The Division has also adopted the Prescribed Fire Burn Boss 3 (RXB3) qualification to supplement the qualification system. This position supervises prescribed fire operations of low complexity. The Division’s Prescribed Fire Burn Boss 3 requires an NWCG rating of Incident Commander Type 5 (ICT5), completion of Intermediate Wildland Fire Behavior (S-290), and completion of the Prescribed Fire Burn Boss (RXB3) position task book.

### **D. Prescribed Fire Plan Preparation and Technical Review Qualifications**

Qualifications for Prescribed Fire plan preparation and technical reviews shall follow 2022 NWCG Standards for Prescribed Fire Planning and Implementation (PMS 484). Technical reviews for Low Complexity Prescribed Fires may be done within the Division’s Area, but technical reviews for Moderate and High complexity prescribed fires must be from a qualified reviewer off-unit from the Division’s Area or another agency.

### **E. Coordination Requirements**

Any Prescribed Fire Plan for private lands shall be approved and signed by all private landowners. If other jurisdictional agencies have lands involved in a prescribed fire they must approve and sign the Prescribed Fire Plan at the appropriate level for their agency. Approval will constitute recognition of responsibilities, liabilities, and project cost-sharing addressed in the plan. It is the responsibility of the Prescribed Fire Burn Boss to advise adjacent landowners and agencies of the proposed burn. Copies of Prescribed Fire Plans will be provided to the private landowners, other agencies with involved lands, Utah Smoke Coordinator, DAQ, local interagency fire center(s), and the Division’s State Deputy Fire Management Officer (DFMO) - Fuels. All prescribed fires involving the Division will be only performed with the knowledge and approval of the local Area FMO and Area Manager or their formal designee if absent.

## **F. State Agency Administrator Review and Approval of Prescribed Fire Plans**

Prescribed Fire Plans will be reviewed and approved by:

1. The State Forester through submission to the State DFMO - Fuels for review, after a formal Technical Review by a person of equal or greater prescribed fire qualifications to the burn's complexity level. The State DFMO-Fuels or their designee will review for consistency and adherence to guidelines and policies. Approval or comments will be made within two weeks of the time they are submitted to the State DFMO-Fuels or;
2. Certain delegated Area Managers, through submission to the Area FMO for review, after a formal Technical Review by a person of equal or greater prescribed fire qualifications to the burn's complexity level. The Area FMO will review for consistency and adherence to guidelines and policies. Copies of the approved Prescribed Fire Burn Plan will be submitted to the State DFMO – Fuels. The State Forester may delegate Prescribed Fire Plan approval authority to:
  - a. Area Managers who have current or former NWCG qualifications as Prescribed Fire Burn Boss 1 or 2 or;
  - b. Area Managers who have current or former wildland fire qualifications and have taken NWCG M-581(Fire Program Management) to approve up to the Moderate Complexity Level and M-582 (Program Management Complex Programs) to approve up through the High Complexity Level.

## **G. Ignition Authorization Approvals**

Prescribed Fire Plans approved by the Agency Administrator described above, may be implemented following NWCG standards with the Division's local Area Manager being the approval official for the "Agency Administrator Ignition Authorization (Element 2A). The approval duration is at the discretion of the local Area Manager considering weather, risk, and other applicable factors, and may solely apply to the state/private portions of some interagency Prescribed Fire Plans. The State DFMO-Fuels shall be sent a copy of the ignition authorization approvals upon signature and be included on the text or email prescribed fire notification at time of burn.

Effective Date: 6/7/2022

## FFL-22-A-19: STANDARD OPERATING PROCEDURES (SOPs)

### I. PURPOSE

The purpose of this policy is to define the process for development, implementation, and evaluation of Standard Operating Procedures (SOPs).

### II. SCOPE

SOPs ensure consistent communication, provide guidance, and create a framework to conduct business as individuals, crews, and as units. SOPs aren't meant to limit the ability to make decisions, in fact, if developed correctly, they allow decision makers a great deal of flexibility in decision-making. Finally, SOPs afford a mechanism to identify needed changes, implement agency policy, enhance training, describe desired performance, and evaluate operational outputs. The result is improved operational efficiency, uniformity, accountability, and increased safety.

### III. DEFINITIONS

- A. Policies: Division rules and regulations.
- B. Procedures: a series of steps that need to be completed in order to accomplish a task.
- C. Standard Operating Procedures [SOPs]: documents that provide clear-cut directions and instructions as to how employees must complete certain processes.
- D. Stand-Alone SOPs: Division-wide standard operating procedures developed for very specific situations that apply on a division scale.
- E. Crew or Unit SOPs: Localized operating procedures that are specific to a crew or unit that align with agency regulations, but apply to a smaller demographic.

### IV. POLICY

If an employee of the Division would like to suggest a new SOP or amendment to an SOP, the following guidelines will be used:

- A. Propose a new or amended SOP
  1. The proposal should be submitted to the employee's supervisor, Program Manager, and/or Program Administrator.
  2. The proposal should be promptly forwarded through the chain of command to the Director's office to ensure consistency in communication.

3. Stand-alone proposals will be reviewed by the Program Administrator.
  4. Crew or unit proposals will be reviewed by the Program Manager and/or other designee.
  5. Upon final review of the proposal, the reviewer will approve or disapprove the suggestion.
    - a. If the proposal is approved, the Administrator/Manager will designate the author.
    - b. If the proposal is not approved, this will be communicated through the chain of command to the originator of the proposal informing them of the rationale for the decision.
- B. Development Process:
1. Identify Need and Type
    - a. Determine the goals for creating an SOP
    - b. Define the audience
    - c. Determine the Scope and Format
  2. Use Approved Templates
    - a. Step-by-Step Format: routine procedures that are short and easy to follow. This type of format is generally a simple numbered or bulleted list with short, simple sentences that are clear and easy for the reader to follow.
    - b. Hierarchical Format: If a procedure has a lot of steps that involve decision-making, you may want to use the hierarchical steps format. This is usually a bulleted or numbered list of main steps followed by a set of specific sub-steps.
    - c. Flowchart Format: to map out and plan procedures that include many possible outcomes. This is a good choice when the results are not always predictable.
  3. References: Provide links to other agency policy/directives and/or other pertinent resources.
  4. Number Sequencing: SOP-YY-### (following annual numerical order, example below)
  5. Category: Administration, Fire, Forestry, Lands, etc.
- C. Implementation Protocol
1. Approval process
    - a. Draft SOP will be circulated to all appropriate supervisors for review.
    - b. Final draft for Stand-alone SOPs will be circulated to the Management Team for review and final edits.
    - c. Final drafts for Crew or Unit SOPs will be circulated to the respective Program Administrator for review and final edits.
    - d. Upon Management Team approval of Stand-alone SOPs, the

- Director shall sign and circulate the approved SOP.
- e. Upon Program Administrator approval of Crew or Unit SOPs, the Program Administrator shall sign and circulate the approved SOP
2. Storage and access
    - a. SOPs will be stored as an appendix to the FFSL policy manual.
    - b. SOPs may also be included in program field references or agency handbooks.
  3. Communication
    - a. Upon completion of a new SOP, the Program Administrator, Manager, or Director will inform all staff of the new procedure(s).
    - b. Supervisors will ensure information reaches all unit employees.
- D. Evaluation Procedures
1. Annual review
    - a. Program Administrators or Managers will assign an annual SOP review workgroup.
    - b. As revealed, updates, deletion, or creation of new SOPs will be initiated.

Division of Forestry, Fire and State Lands  <i>Policies &amp; Procedures</i>	Reference: <b>SOP-22-001</b>	Page: <b>1 of 1</b>
	Category: <b>FIRE</b>	Effective Date: 04/05/22
		Revision Date: N/A
Subject: <b>Work Capacity Test (Pack Test) SOP</b>		
See Also:		

(example)

## **DIVISION STANDARD OPERATING PROCEDURES**

*Effective Date: 3/20/23*

### **SOP-23-001: PRESCRIBED FIRE (RX) OVERTIME COMPENSATION GUIDANCE FOR FLSA NON-EXEMPT EMPLOYEES**

#### **I. PURPOSE**

This SOP serves as guidance for supervisors and employees on “how to” process overtime compensation on prescribed fire assignments. It is intended to align with Rule and Policy: R477-8-4 to 8-6, NR-97-B-1, and FFL-96-A-1, to define reimbursement and compensation procedures while employees are involved in “designated\*” Rx project activities. These activities may contribute to part of or exceed base 40-hour work weeks.

#### **II. SCOPE**

On approved Rx projects, the following measures shall be in place and practiced. The following will summarize the required actions and procedural guidance needed for an Rx project to qualify for overtime. If unsure of requirements, please contact your supervisor.

#### **III. DEFINITIONS**

- A. SOP- Standard Operating Procedure (FFL-22-A-19)
- B. Rx- Prescribed Fire
- C. FLSA- Fair Labor Standards Act
- D. Compensatory Time (Comp)- FLSA designation for hours in excess of base 40-hour work week. In this specific SOP, paid out as Rx overtime for non-exempt employees
- E. Requesting Unit- Area office or program asking for Rx support resources
- F. Sending Unit- Area office or program providing Rx support resources

#### **IV. REQUIRED ACTIONS**

- A. All Rx involvement must be approved in advance by the Area Manager, Program Administrator, and the Deputy Director.
- B. The funding source for the defined activity is approved by FFSL Finance (via Manager) in advance of event activation to ensure proper reimbursement is viable.

- C. Employee(s) have the most current Overtime Compensation/Election Form (OCEF 2/21) on file to ensure all parties are clear on compensation details.

(Note: employees that have elected the "comp time" option do not need to change their election to earn Rx overtime.)

- D. Rx Participation Form is submitted prior to any project activities that would result in overtime. The requesting unit works closely with the sending unit to help complete the form.
- E. The sending unit's form should include detailed project activities and approval signatures. The form can be a planning tool for long range timeframes as well as for closer deadlines. If the requesting unit and sending unit are the same, a form must be completed. Completed forms should be kept in the sending unit office as the participation approval record.

## **V. PROCEDURAL GUIDANCE**

- A. As per FLSA, the first 40 hours worked (base hours) will be at the straight hourly rate recorded to the program code on the timesheet. Add the project name to the hours cell by double clicking to open a text box to specify activity aligned with hours. Remember, the work week begins on Saturday and ends on Friday.
- B. Hours worked over base 40 (Rx overtime), will be coded to D91 with an account code specific to the Rx activity referenced. FFSL Finance will assign the code and managers need to ensure correct alignment on timesheets in ESS.
- C. Hours over base 40, (Rx overtime), will be paid out at time and one-half in the same pay period they were accumulated regardless of election status. (OCEF 2/21)
- D. Employees agree and understand the compensation scenario stated above.
- E. Managers must verify FFSL reimbursement matches expenses to minimize budget impacts.
- F. Managers must monitor work schedules to avoid impacts on local workload under Rx scenarios. When base 40 hours and Rx overtime are billed to a project and office time is still required, the additional hours worked under that scenario will become compensatory time (Comp) charged to the local unit. Managers must track Comp balances to ensure 80 hour limits aren't exceeded or other fiscal impacts occur without prior approval.



- G. Managers should include dispatchers in their out-planning to ensure funding sources are valid to support Rx activities at the center level. Requests for support may be internal or external and include base hours and/or Rx overtime.
- H. If the work week is flexed due to Rx scheduling, employees must be aware they may have to use leave to fill base 40 hours if unable to do so.
- I. No informal agreements between supervisors and employees will be allowed. (FFL-96-A-1).
- J. Leave and holiday time taken within the work period are not hours worked when calculating an employee's base 40 hours and resulting overtime accrual (R477-8-4).
- K. Exempt employees must follow FLSA compensation guidance for overtime compensation.

\*Designated activities are those approved through the State Office that have agency, cooperator, or partner agency Rx designations and mutual benefit.

## **VI. FORMS OR POLICY REFERENCES**

- A. DHRM- Overtime Compensation/Election Form (OCEF 2/21)  
<https://ffsl.link/DHRM-OT-Comp-Form> - for QR code see 2.8 on page 130.
- B. FFSL- Rx Participation Form  
<https://ffsl.link/FFSL-Rx-Part-Form> - for QR code see 2.9 on page 131.
- C. Compensation- R477-8-4 to 8-6  
<https://ffsl.link/GovOp-HR-R477> - for QR code see 2.10 on page 130.
- D. FLSA- NR-97-B-1  
<https://ffsl.link/DNRpolicies> - for QR code see 2.1 on page 130.
- E. FLSA- FFL-96-A-1  
<https://ffsl.link/DivisionPolicies> - for QR code see 2.2 on page 130.
- F. SOP- FFL-22-A-19  
<https://ffsl.link/DivisionPolicies> - for QR code see 2.2 on page 130.

## CHAPTER 2 QR CODES

<p><b>2.1</b> DNR Policies</p> 	<p><b>2.2</b> FFSL Policies</p> 
<p><b>2.3</b> UCA 41-6a 212</p> 	<p><b>2.4</b> UCA 41-6a 904</p> 
<p><b>2.5</b> UCA 41-6a 1603</p> 	<p><b>2.6</b> UCA 41-6a 1616</p> 
<p><b>2.7</b> UCA 41-6a 1625</p> 	<p><b>2.8</b> DHRM OT Compensation Form</p> 

<p style="text-align: center;"><b>2.9</b> FFSL Rx Participation Form</p> 	<p style="text-align: center;"><b>2.10</b> GovOp Human Resource Compensation Rule</p> 
<p style="text-align: center;"><b>2.11</b> DNR Operator ID Form</p> 	<p style="text-align: center;"><b>2.12</b> Fleet Accident Claims</p> 

## CHAPTER 3 ADMINISTRATION

### FIRE INFORMATION MEDIA GUIDE

#### PURPOSE

As opportunities arise, FFSL personnel may be interviewed by print, radio or tv media. This guide is issued to ensure that DFFSL's communications goals are met. Many reporters lack basic wildfire background knowledge which causes miscommunication, and often their own misperceptions find their way into news stories. In addition, social media and other electronic information created by division employees is fair game for news coverage. The concepts outlined in this document are aimed at helping you contribute to meeting Division communications goals and mitigating miscommunications.

#### THE "TYPICAL" WILDLAND FIRE IN UTAH

What's a newsworthy wildfire? – Any time a wildfire starts on state or private unincorporated land, the FMO or Warden should immediately assess the information needs of the fire. The following four factors should be considered:

1. Visibility – The public and therefore, the media will want information any time the fire is visible from a major population base.
2. Evacuations and Closures – These two events require media assistance for public safety reasons. In addition, either event will always attract media attention
3. Size/Rapid Growth – Large, fast-moving fires are almost always newsworthy. A 100-acre fire in a remote area isn't much of a story, but a 2,000 acre wind-driven fire in the same area is.
4. Relativity – Early and late-season fires are always more interesting, but every situation will be different. A 200-acre fire just outside a medium city could go either way, depending on what else is going on in the state and in your area. A 50-acre fire near a resort town will always draw more attention than a 2,500 acre fire in the wilderness.

Each of these factors should weigh into your public information decisions and help you plan effectively.

#### COMMUNICATIONS OBJECTIVES, STRATEGIES AND TACTICS

**Objectives:** Just as each wildland incident has Objectives, Strategies and Tactics, our communications operation does too. Public understanding of established key messages is considered the objective portion of our effort. All agencies have key messages, and each incident will have some that are unique. Key messages help keep our media efforts focused on what we want the public to know when the story hits the air.

FFSL personnel may have specific key messages that you may deploy tactically in a news interview depending on your area and depending on what the situation is. Here are some examples:

- We are committed to fighting fire aggressively, providing for safety first (or any other SFO).
- The Utah Division of Forestry, Fire & State Lands is a full interagency cooperator with local and federal agencies.
- Human-caused fires are the only preventable ones, so everyone should do their part to prevent them. (Fire Sense)

**Strategies:** If a PIO has been ordered, they will direct the strategic portion of the communications effort and the IC will set the objectives. If there is no PIO assigned, then the IC will be responsible. Before going on the record with a media representative, coordinate through the chain of command on the incident. If you aren't the IC, be personable and professional as you direct them to the proper person. If they ask you to comment, let them know whether or not you are willing, then let them know you need approval from the IC. If you are not attached to the incident, it may be as simple as deciding whether or not to give the interview and what tactics you should use.

**Tactics:** A news interview is one of the tactical parts of the operation, and the tactics you employ should naturally relate back to the strategy and help communicate a key message. Most of the time, your tactics will be giving direct answers to direct questions. Other times, questions may not have simple or direct answers. In those cases, here are some examples of specific tactics:

- Deflecting- Used to respond to hypothetical situations, questions without clear answers or that may be outside your "lane". i.e. "Will you make it back home by

## **SOCIAL MEDIA**

Postings to Social media fall under the Division's media policy just as any other method of disseminating information. Supervisor approval (or IC if appropriate) is required before a public social media posting is made about Division work or incidents. Any information about fatal or serious injury mishaps are not to be disseminated to anyone including friends and family without IC/PIO approval. Photos of destroyed structures are not to be posted without IC/PIO approval.

The following list are examples of situations that should not be posted without receiving IC/PIO approval and in some circumstances, State DO and Director Approval:

- Scenes of burnover or injury events
- Shelter deployments (not including practice deployments)
- Individuals receiving medical care
- Vehicle or aviation crash scenes
- Destroyed structures
- Fire origin or investigation scenes
- Threatened structures (until the threat has diminished)
- Burnout operations (until the operation is deemed successful)

This list is not to be deemed exhaustive but to serve as a guide.

Area offices, crews etc. may not create dedicated social media pages for their work units or for individual incidents.

Photos and video taken while on duty are considered property of the Division, regardless of the ownership of the equipment used to capture the photos or video. While such material may be shared by employees with family and friends, they may not be distributed publicly during an incident without IC/PIO approval. Photos and/or video taken or obtained while on duty remain property of the State of Utah and may NOT be used to promote a business or to monetize a social media account. Employees should ensure that their social media account security settings are adjusted to avoid public dissemination of Division information.

- Follow Utahfireinfo on Facebook, Instagram, and Twitter @UtahWildfire
- Follow the division's social media accounts @utahffsl on Twitter & Instagram, @Utah Forestry Fire & State Lands on Facebook

For more information, see FFSL policy FFL-14-A-16 on page 96.

## **COMMUNICATION TACTICAL DO'S AND DON'TS**

### **DO'S**

- Coordinate with IC and supervisor before committing to interviews.

- Be prepared. Know the facts. Develop a few key messages and deliver them. Try to imagine potential tough questions and formulate accurate answers.
- Talk informally for a minute or two with the reporter beforehand and try to get a sense of the type of report they are looking for. (But be aware that informal conversations are part of the interview)
- Be concise. Give simple answers (10-20 seconds), and when you're done, be quiet. If you stumble on words or botch the answer, simply ask to start again. Most interviews are recorded and the news editor is your friend.
- Emphasize positive actions and successes (i.e. refer to homes/resources saved instead of those lost to the fire)
- Be honest, personable, professional, presentable in a division uniform, display the division logo whenever possible (remove sunglasses and hats, but wear appropriate PPE).
- Look at the reporter, not the camera.
- Always assume you are "on the record". Be cautious of being too familiar.

## **DON'TS**

- Don't guess or speculate, if you don't know, say "I don't know" and offer to assist in finding answers.
- Don't use jargon or acronyms the public wouldn't understand.
- Don't speak for other agencies or offices.
- Never say "No comment". "No comment" IS a comment and in a news report it may send the impression that "I'm hiding something". Either explain why you can't answer or direct them to the PIO.
- Never lie or mislead or exaggerate.
- Don't avoid media contact. Be professional and personable as you help them find the PIO or IC.
- Never answer questions about an "incident within and incident" such as medical emergencies, fatalities, burnovers etc. Offer support, condolences or relief then refer them to the designated PIO.

## **INTRANET FILE ACCESS TO NETWORK DIRECTORIES**

FFSL maintains files on the Department of Natural Resources network. FFSL root M:Drive and directories are accessible via the web with a secure State network username and password. Chapters in the Field Manual make repeated M:Drive references to view or download documents. To access network drives on the web go to: <https://files.nr.utah.gov> - for QR code see 3.1 on page 165.

FFSL also has an internal wiki page called FFSL Enterprise. This wiki is intended for the employees of Utah Division of Forestry, Fire & State Lands to post and create

guidelines, announcements, standards, data, and whatever their imaginations can come-up with. The hope is that this will be a central place for us to share Division information, techniques, and resources. Most of the files referenced on the M: drive will also be on the FFSL Enterprise.

We are always adding information to the FFSL Enterprise <https://ffsl.link/enterprise> - for QR code see 3.2 on page 165. If there is information that you would like to see added to the FFSL Enterprise please contact Jennifer Biggs at [jenniferbiggs@utah.gov](mailto:jenniferbiggs@utah.gov)

## **EMPLOYEE TIME AND PAY ENTITLEMENTS**

Supervisors are responsible for establishing their Warden's work hours and work days within a 40-hour standard work week. A copy of this work schedule shall be provided to the state office and the local interagency fire center. Regular work schedules may be changed during a calendar year. However, the work schedule will be consistent during the fire season to calculate fire suppression overtime. Holidays are considered regularly scheduled days off.

Fire Wardens require scheduled days off-duty during the week. The county agrees to provide a qualified standby Fire Warden during any off-duty time period. Contact information for the standby warden will be conveyed to the local dispatch office.

State personnel regulations prohibit the accrual of annual, sick, military or emergency leave to personnel other than full-time, permanent employees. Such standby personnel shall be compensated by the county at a rate determined by the county and the district Fire Warden. It is the responsibility of the Area Manager/Fire Management Officer and the district Fire Warden to assure that the county provides for the standby warden.

### **OVERTIME**

Fire suppression overtime is the only overtime compensated by pay calculated on a 24-hour period. (See Wildland Fire Suppression, Work Rest Requirements & Overtime Compensation DNR-23-19 on page 90.) For overtime on RX see the RX overtime SOP in the policies section on page 127.

### **HAZARDOUS DUTY COMPENSATION**

A Forestry, Fire and State Land (FFSL) policy has been established to compensate employees of the State of Utah for duty involving exposure to hazards associated with the suppression of wildland fires while in the service of the State or its cooperators. Compensation of a 25% pay differential occurs while the employee is engaged in the hazardous activity. Travel time to an incident assignment and return travel to the employee's duty station or travel if reassigned to another fire is not eligible. Prescribed fire is a planned event and does not meet fire line hazard definition for



hazardous pay differential. (See Hazardous Duty Pay Differential NR-99-B-18 on page 92.)

## **ON-CALL TIME**

Designated Division personnel may respond to a request for assistance outside their normal working hours. Individuals may carry out personal activities while in on-call status but have designated time periods to be available for response to coordinate fire suppression activities outside normal working hours. They will be compensated for the time that they are on-call at the rate of one hour paid for every 12 hours on-call. While on-call, they must be available to respond to a request for assistance within 30 minutes by telephone, radio or in person. On-call time generally begins June 1 and runs through October 31 or the end of the closed fire season unless otherwise approved by the State Forester or designee. (See On-Call Status FFL-96-B-3 for complete details on page 105.)

## **EMPLOYEE TIME REPORTING**

A pay period consists of two full weeks beginning at 12:00 am on Saturday and ending the second Friday at 11:59 pm. A pay period schedule is listed under Administration in the Reference section.

All employees are responsible for completing their time entry in the Employee Self-Serve (ESS) system in a timely manner. Employees should have their time entry completed by the pay period end date (Friday) at the end of the day. Changes can be made on the weekend following the pay period. The link for the ESS system is: <https://ffsl.link/ess> - for QR code see 3.3 on page 165.

Supervisors are responsible for reviewing the timesheet, looking for possible errors, making sure projects are coded appropriately and note if there is any unapproved overtime, excess or comp time. Per State Finance Policy FIACCT 11-17.01, the supervisor will then approve the timesheet indicating it is accurate. Supervisors should be reviewing the timesheets on the Monday morning following the pay period end date so that any discrepancies can be addressed and corrected by the employee before the end of day Monday. Fire suppression regular and overtime hours must match incident signed timesheets (OF-288) and crew time reports (SF-261).

Any time entry not completed accurately by the Monday following the pay period end date will need to be amended and entered on a paper time sheet, signed by your supervisor, and submitted to the Salt Lake Office by noon on the Tuesday following the pay period end date.

Any time not entered or submitted by the pay period close date will not be paid timely and will have to wait until the next pay date once an approved timesheet is properly submitted to be paid. Please do not let this happen as it affects your personal life, as well as your State paid benefits (health insurance, etc.).

Timesheets are located at M:\Common\Accounting\Payroll\FFSL Time Sheet CY\*\* It is a macro enabled Excel spreadsheet file. Excel will display some security questions the first time you open the file. Instructions for the security questions are available at M:\Common\Accounting\SecuritySettingsforTimeSheets.docx.

Hazard pay cannot be entered in the ESS System and must be entered on a paper hazard sheet, signed by the employee and supervisor, and turned into the payroll staff in the Salt Lake Office. Hazard pay reflected on the hazard sheet should not exceed fire time reflected in ESS nor the hazard pay reflected on the CTR submitted for out-of-state billing. The Salt Lake payroll staff will enter the hazard pay in the SAP System to ensure payment. The Hazard sheet is an Excel sheet and can be found on the M:drive at M:\Common\Accounting\FFSL Hazard Sheet CY\*\*. The hazard sheet will be due in the Salt Lake office no later than 10:00 am on the Monday following the pay period end date.

All comp time, excess time, or non- fire overtime earned must be pre-approved by your supervisor and on the proper form. These forms must also be signed by the employee and supervisor and will be retained by the supervisor at the area level. Failure to obtain proper approval, can lead to disciplinary action.

If you have questions on the timesheet contact the Payroll Coordinator at 385-285-8075. An example of a hazard sheet is listed under Administration in the Reference section on page 253.

## **WORKERS COMPENSATION FUND (WCF) CLAIM PROCESS**

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If an employee sustains an on-the-job work-related injury or illness requiring treatment beyond on-scene first-aid, the employee or supervisor must notify DNR HR as soon as possible. HR will file the claim with WCF. Report any incident that requires treatment by a medical care facility or any billable service from a medical care provider. Send notification to Chris Kilpack in HR; ckilpack@utah.gov using the HR-6 Form, Work Related Injury/Illness Form. You can find this form on the FFSL Enterprise Forms page under the Safety section <https://ffsl.link/EnterpriseForms> - for QR code see 3.4 on page 165. You can also see this form in the Chapter 10 Reference Section on page 250. It may be helpful to provide HR with copies of all doctor's notes, including from each follow-up visit.

If an individual's work capacity is restricted by doctor's orders, for example "light duty, lifting limits, etc", a doctor's release document is required before returning to full duty.

For any life or limb-threatening injury/illness or for situations needing emergency care; call 911, stabilize the incident, provide 1st aid and arrange transport to the closest hospital emergency department, regardless of network.

## HR NOTIFICATION CRITERIA

No HR notification is required for a minor injury or illness that requires only on-scene first aid treatment if no medical clinic follow-up and no billable treatment is needed.

However, notify HR concerning an injury that doesn't need treatment immediately but might later. The claim HR submits to WCF will establish a record for future reference should the need for treatment or benefits arise later.

## PREFERRED PROVIDERS

WCF insurance uses a preferred provider organization which includes Industrial Medical Clinics, After Hours Care and a Hospital Network.

Industrial Medical Clinics take walk-ins **during normal business hours**. WCF lists 17 WorkMed locations throughout the state, mainly in larger cities and along the Wasatch front.

After Hours Care is available from Intermountain InstaCare clinics. WCF lists 31 Intermountain InstaCare locations throughout Utah. For WCF claims, use InstaCare for **after-hours only**.

See QR code links on page 165 for locations and details.

If an employee needs care for an injury/illness in an outlying area and no preferred provider is available, use the most convenient appropriate medical facility.

## PRESCRIPTIONS

If an initial treating physician prescribes medication, advise the pharmacy that the injury/illness is work related and provide them with the Mitchell ScriptAdvisor Rx BIN # 019082 and PCN MPS. WCF typically covers the cost for this "first fill", a limited supply of medication to cover the gap until the claim is approved. Contact Mitchell Customer Service (866) 915-4402 to activate Temporary Prescription ID. If the employee needs to cover the cost out-of-pocket, reimbursement for prescriptions purchased prior to receiving a claim number requires submission of receipts to WCF.

## WCF DETERMINATION

WCF determines whether or not the injured/ill employee's expenses will be covered. Some claims are denied because WCF finds records that show there was a previous injury that caused all or part of the current problem. WCF can also deny payment of claims that "they believe" are not job related. Be sure to accurately describe details about how the accident or illness occurred so that the WCF adjuster can make an informed decision determining coverage. In those cases, the employee will be responsible for payment of his/her medical expenses. However, an employee who has had a claim denied can appeal WCF's original decision.

## WHAT EMPLOYEES & SUPERVISORS NEED TO KNOW ABOUT WORK-PLACE INJURY OR ILLNESS

- In the case of life or limb threatening injury or illness, employees should be transported to the closest hospital or full-service trauma center even if that organization is not on the preferred provider list.
- Advise any treating facility, transporting company, or pharmacy the injury/illness is work related and that the patient is an employee of the Dept. of Natural Resources, State of Utah. The cost will be covered by Workers Compensation Fund: 100 West Towne Ridge Parkway, Sandy, UT 84070. Policy Number: 1758386. Phone 800-446-2667
- Notify HR using completed HR-6 Form, Work Related Injury/Illness Report (see page 250 for example). You can download the form on the FFSL Enterprise Forms page under the Safety section <https://ffsl.link/EnterpriseForms> - for QR code see 3.4 on page 165.
- The State has negotiated reasonable rates with certain providers. Employees are expected to seek assistance from a preferred provider after receiving onsite first-aid treatment. For preferred provider lists see:
  - **Preferred Providers, Clinics** - <https://ffsl.link/wcf-clinics> - for QR code see 3.5 on page 166.
  - **IMC, InstaCare** - <https://ffsl.link/imc-instacare> - for QR code see 3.6 on page 166.
  - **Preferred Providers, Hospitals** - <https://ffsl.link/wcf-hospitals> - QR code see 3.7 on page 166.

## RETURN TO WORK FROM INJURY/ILLNESS

WCF pays 66.6% of the worker's gross salary if, because of a work-related injury or illness, the worker cannot perform any work for three days from the date of the injury/illness.

If the injured/ill employee has an order from the doctor that prescribes time off work or light duty, a copy of the doctor's directive must be forwarded to WCF and the department's Human Resource Office. The Division, however, is under no obligation to provide light duty work for the injured/ill employee if none is available.

Before returning to work, the injured/ill employee must provide his/her supervisor with a written release from his health care provider indicating work restrictions that must be observed (if any). The supervisor must send a copy of the doctor's release document to the department's Human Resource Office.

The employee's supervisor must note the date the employee sustained a work-related injury or illness on the employee's timesheet just below the supervisor's signature. The supervisor must again note on the timesheet just below the supervisor's signature the date the employee returned to work.

## **TIMESHEET DOCUMENTATION**

Benefited employees enter time under the “Sick Industrial or SI” Attendance/ Absence or A/A type on the ESS time entry form. If sick leave is exhausted time will be entered under the LWOP Industrial or YI A/A type. If a seasonal employee goes on a WCF claim and is still employed with the state, it is necessary to file a timesheet with ZERO hours (when no light duty is available or authorized) and note that the employee is on a WCF claim. Worker’s Comp will determine the amount they will be paid. Supervisors must inform employees who receive benefits that they can use some of their accrued benefits each pay period to bring their total income (WCF plus State) up to 100%. They should contact the department’s Human Resource Office to make arrangements for the use of their accrued leave.

It is best not to terminate the employee until the end of their assigned period of employment. They will continue to receive benefits from WCF even after their termination date if their injury persists. Consult the department’s HR Specialist in the Human Resource Office if you have any questions regarding your actions under this scenario.

## **PROCEDURE FOR REPORTING SERIOUS ACCIDENTS TO UTAH OCCUPATIONAL SAFETY AND HEALTH (UOSH)**

When an accident occurs that meets any of the following criteria, it must be reported to UOSH through HR within 8 hours.

- Fatality
- Immediate in-patient hospitalization
- Amputation past the first digit on hand or foot
- Heat, chemical or electrical burns which result in temporary or permanent impairment to the body
- Electrical shocks which result in a loss of consciousness or hospitalization
- Major bone fractures
- Any injury involving unconsciousness
- Any injury or illness that may shorten the worker’s life or significantly alter a normal physical or mental ability (either temporarily or permanently), such as visual or hearing impairment

Contact your supervisor as well as Chris Kilpack (385-315-2834) immediately if an accident occurs that meets any of the above listed standards. If you cannot contact your immediate supervisor, contact either his/her supervisor and the department’s Human Resource Management Office at 385-315-2834.

Chris Kilpack must notify UOSH within 8 hours.

Under UOSH requirements, the site of an accident that meets any of the standards listed above cannot be altered until UOSH has assessed the site to determine the cause. UOSH requires that employers do not alter the accident scene, move or

destroy tools, equipment or materials, or make any other changes which relate to the accident without first obtaining approval from UOSH. This requirement does not apply when emergency responders have to alter the site for rescue purposes or if immediate action is required to eliminate an imminent safety hazard.

An employee involved in an accident while on duty, will be subject to post-accident drug and alcohol testing if any of the following apply.

- A fatality occurs
- The employee is driving in a work-related capacity and receives a citation for a moving violation arising from the accident and the accident involved: bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or one or more vehicles incurs disabling damage as a result of the accident
- An employee is operating machinery and causes a major injury to himself or his coworker[s]
- There is reasonable suspicion that the employee is under the influence of alcohol or a controlled substance

If it is determined that a drug test is warranted, the supervisor should contact Inter-mountain MRO at 801-965-0665 to request a drug tester be dispatched. This number operates 24 hours a day, seven days per week. The department's Human Resource Office must also be notified of the testing as soon as possible by calling 385-315-2834.

## **UNIFORMS**

### **THE DIVISION UNIFORM STANDARDS ARE UNDER REVISION AND THE FOLLOWING IS NOT COMPREHENSIVE; ADDITIONAL INTERIM GUIDANCE WILL BE PROVIDED BY YOUR SUPERVISOR**

DNR policy was revised on 7/1/2023.

- **Department Policy** DNR-23-10, DNR Innerweb: <https://ffsl.link/DNRpolicies> - for QR code see 3.8 on page 166.
- **Uniform Information** - <https://ffsl.link/EnterpriseUniforms> - for QR code see 3.9 on page 167. As new information about uniforms becomes available, the information will be posted on this web page.
- **FFSL 96-A-4 Uniform policy** - <https://ffsl.link/EnterprisePolicies> - for QR code see 3.10 on page 167.

## **ACQUISITION PROCEDURES**

Supervisors will be given allowance totals for all assigned employees. Uniform items needed are at the Supervisor's discretion. The FFSL Accounting Tech will track employee expenditures and ensure compliance.

Area and Program Managers must determine the allowance for each employee based on job assignment. (Note: Any amount not expended at the end of the fiscal year (June 30) will be lost. Any amount not used in the annual allowance may not be carried forward into the next fiscal year. Also, over-expenditures may not be taken from the next year allowance) Expenditures over the allowed amount must be reimbursed to FFSL within 30 days of notification. "Division/Department Specific" items must be purchased from Skaggs or through approved vendors. The exception is footwear which may be acquired elsewhere, but requires supervisor approval before purchase.

Uniform Allowance Classes are based on hours worked per week and high degree of wear. (See DNR policy) Supervisors determine class by position and budget constraints.

- Class I \$650 annually – Required to wear average of 32 hours per week
- Class II \$450 annually – Required to wear 24 hours per week
- Class III \$300 annually – As needed, purchases approved by supervisor

For each new full-time employee, supervisors will determine initial issue uniform items needed to meet specific job requirements and represent the Division. The start-up amount for non law-enforcement officers will not exceed \$720. The supervisor has discretion to control the items needed and therefore, the start-up amount spent.

Supervisors must approve all items and can modify the initial issue to meet specific job requirements. The start-up allowance covers a one-year time frame from the date of hire. After the one-year anniversary date the employee will get a prorated annual amount to reach the end of the fiscal year. At the start of the next fiscal year the employee's annual allowance will begin.

Current full-time employees must follow the guidelines for their uniform allowance. Employees must purchase approved items and code specifically to the individual employee. Remember, all items not bearing logos will be taxed (income tax, not sales tax) as a fringe benefit.

Seasonal employees will be issued only the minimum uniform items necessary to accomplish the job for which they are hired. Supervisors must determine the items necessary and stay within budget.

### **COMBINATION CLARIFICATION**

It is critical that all employees abide by the rules of standardization and only wear the approved uniform combinations for: Dress, Office, Field/Work, and Fire.

Division shirts or hats that are not uniform items may not be purchased with uniform allowance funds. Such items should not be worn in official settings or worn in combination with uniform items. Note: Jeans and tennis shoes worn with uniform items do not meet the uniform standard.

FUNERALS – Wear the Division Dress Uniform (refer to DNR & FFSL Policies) with all accessories or wear a suit with a Division or Department pin.

## **DIVISION UNIFORM DISPOSAL**

Once the item has been phased out or passed its “wear-ability” life use the following instruction for disposal.

- Remove all patches from items before disposal.
- Remove all embroidery when possible or sew another patch over it.
- Blackout logo or use solvent to remove silk screening.
- Cut items into rag pieces to be used or thrown away.

## **“WEARABILITY” LIFE**

Once an item has faded dramatically, has holes, excessive fraying or been stained considerably it does not meet the professional appearance standard and must be taken out of service. The supervisor must ensure these items are NOT worn in public unless all patches and logos are removed.

## **MISCELLANEOUS SITUATIONS**

For employees that are terminated before the end of their probationary period, follow the Department Policy. Supervisors can determine the uniform items that must be returned if usable and issue them to other seasonal employees when reasonable. Supervisors will follow disposal options if uniform items are unusable.

Uniform items issued to seasonal employees must be returned to their immediate supervisor upon completion of their employment. When possible and depending on the condition of the uniform items, they will be re-issued to other seasonal employees. Coats may be issued to seasonal employees depending on season of hire. The coat must be returned to their immediate supervisor upon the completion of their employment. For retirees, supervisors will ensure that the employee knows the disposal methods.

Division and Department logos are protected by the Department’s Uniform Committee and the Executive Director. Area logos and or crew logos must be approved if used in conjunction with the official Division and Department logos. Contact the division uniform committee representatives to receive the Division Director’s approval.

If an employee transfers to another area office or position that has a different uniform class amount, the supervisor may use discretion to determine items needed for



the new position. The supervisor will prorate the difference between the two class amounts and remaining months until the end of the fiscal year.

## **TRAVEL**

The following travel information is specific to fire management operations. The State Travel office website has moved under the Division of Finance. Visit <https://ffsl.link/travel> - for QR code see 3.11 on page 167, for all travel rules and policies not cited herein that must be followed when traveling in-state or out-of-state. It is necessary to properly schedule and obtain travel authorization for employees or volunteers to receive coverage under state liability insurance and other added insurance benefits for travelers. All flights, out-of-state or over per diem hotel rooms, and rental cars must be booked through State Travel. For another reference on travel information please refer to the FFSL Finance Desk Guide at <https://ffsl.link/EnterpriseFinance> - for QR code see 3.12 on page 167.

### **Employees must follow the guidance below when needing State Travel services.**

- If unable to use the daytime number, use the 24hr emergency service, but beware of challenges such as timeliness and travel confirmation.
- If unable to get an outcome using the 24 hr assistance, book accommodations and contact the daytime service. Explain the situation and gain authorization.
- Note, if State Travel books a room(s), a car, or a flight, there will be a credit card number attached for the reservation.
- When a Federal employee or other cooperator reserves a room for you, you still need State approval.
- Attach all State Travel approval/itineraries with all authorization and reimbursement actions.

### **Traveling out-of-state needs prior approval through these methods.**

- An authorized request (FI-5 form) AND
- Division's annual travel plan – This applies to non-emergency pre-planned travel (e.g. training, conferences, contract compliance inspections, etc.). If travel is needed that is not on the approved annual travel plan, it must be swapped out for one that is on the plan or have a solid explanation of why it was not on the annual travel plan and where the funding is going to come from in order to cover the costs.
- OR Emergency Mobilization – Our Executive Director approves our request for emergency travel to all hazard incidents on an annual basis. The current emergency travel authorization is listed under Admin in the Reference section of this manual.

## DIVISION'S ANNUAL TRAVEL PLAN (ATP)

To meet DNR requirements for all "out-of-state travel" (OST), training, conferences, or other approved activities outside of Utah, the annual travel plan must be completed and approved by April each year. The ATP will be developed by FFSL management working with FFSL staff to include staff's entries. Managers will approve the plan and forward it to FFSL Finance to review and pass on to the next level of reviews and approval. Refer to the following guidance for planning:

- Include all conceivable events for the one-year timeframe that you intend to go to.
- Be as clear as possible when adding a request to the ATP. (i.e., when, where, what, why, who, and how much)
- Do your best to get close estimates of expenses for that travel.
- Your direct supervisor must support the request.
- Keep in mind that being on the ATP does not mean it will be approved when received by the Salt Lake office. You still have to submit a travel authorization 45 days prior to travel.
- Any travel expense over \$750 will need DNR leadership approval 45 days in advance.
- Once the ATP has been signed and approved by all parties it cannot be changed or added to.
- The state travel office can get air travel and rental cost estimates if needed.
- Confirmed air travel itinerary requires an authorization number from the Travel Coordinator and booked by the State travel office.
- All out-of-state (OST) motel/hotel accommodations require a state travel office booked itinerary.

## EMERGENCY MOBILIZATION

Resource orders generated by Interagency Resource Ordering Capability (IROC) authorize travel to all-hazard incidents when the Department Director has issued a current annual emergency out-of-state travel authorization.

- Confirm your travel request meets the intent of the emergency travel authorization.
- The traveler has received a resource order through the IROC for the emergency incident.
- When air travel is required, the local fire dispatch center will book a flight itinerary and bill the flight to a regional fire account.
- All motel/hotel accommodations for Emergency Mobilization can be booked by the traveler as long as rates are at or below GSA rates for that area. If no lodging is available within GSA rates then the traveler must book lodging through the State Travel Office.
- The resource order must document rental vehicles are authorized if renting a vehicle.
- Booking of rental vehicles must be done by the traveler through the state travel office to assure insurance coverage and travel reimbursement. If you need a rental due to road side assistance, the traveler must contact the state travel office see <https://ffsl.link/travel> - for QR code see 3.11 on page 167. Other unplanned

travel can receive Executive Director authorization for special purposes travel such as Federal Excess and Personal Property (FEPP) screening.

## **STATE TRAVEL OFFICE CONTACT INFORMATION**

Mon. - Fri., 8am to 5pm, In-state toll free Main Line/Daytime Emergency: 800-367-3230

After Hours: Monday-Friday and Weekends Emergency, 5pm to 8am (MT)

All day on weekends and holidays: 888-739-7018

## **OUT-OF-STATE LODGING**

The traveler must book all non-Emergency Mobilization OST lodging through the state travel office. A copy of the confirmation and itinerary will be emailed to the traveler. A copy of the itinerary must be included with travel documents for reimbursement. Accommodations for Emergency Mobilization can be booked by the traveler as long as rates are at or below GSA rates for that area. If no lodging is available within GSA rates then the traveler must book lodging through the State Travel Office.

Circumstances may dictate the incident logistics section or local dispatch book lodging for an Incident Management Team (IMT) or a single resource. If the lodging booked is not within GSA rates, Travelers should contact State Travel and request an itinerary and approval by email. If the rates are at or below GSA rates for that area, no further action is required.

## **OUT-OF-STATE MEALS**

The basic meal allowance for a 24-hour period of travel is \$54. The allowance rates listed include tax, tips, etc., associated with the meals. A list of premium cities and reimbursement options are listed on the state travel office website.

Meal Rates: Breakfast \$13 • Lunch \$15 • Dinner \$26

Fiscal year changes posted at <https://ffsl.link/travel-per-diem> - for QR code see 3.13 on page 167.

## **GSA**

When a third party, such as the Forest Service or the BLM, will be reimbursing the out-of-state travel expenses the traveler may be reimbursed at the federal meal & incidental per diem rates (M&IE) for their destination. The federal M&IE amounts by location are found on the GSA website <https://www.gsa.gov/travel-resources> - for QR code see 3.14 on page 167, or you can obtain the allowable amount from the State Travel Office. Meal reimbursement eligibility will still be based on State Travel rule time frames. Travelers will be eligible for incidentals every day except the 1st and last day of travel.

## **IN-STATE LODGING**

Travelers may secure their own in-state lodging reservations as long as the rate is within the state lodging per diem limits.

FFSL recommends the traveler utilize the state travel office to book all lodging including in-state travel, when allowable rates cannot be found. Travel will be reimbursed at the higher rate only when booked through the state travel office.

For in-state lodging at a non-conference hotel, the state will reimburse the actual cost up to \$75 per night for single occupancy plus tax. Premium Utah Cities have higher allowable rates. City rates are subject to change during the fiscal year. Visit the In-state Lodging per diem rates for updates or book in-state lodging with the state travel office to ensure the current rate at <https://ffsl.link/travel-instate-lodging> - for QR code see 3.15 on page 167.

Depending on the lodging operators' policy they may add a cost for double occupancy. State policy allows you to add \$20 to the rates listed in the following table for double state employee occupancy.

<b>FY'24 Lodging Rates Utah Cities</b>		
American Fork \$85 + tax	Heber \$85 + tax	Payson \$85 + tax
Ballard \$100 + tax	Hurricane \$95 + tax	Price \$95 + tax
Beaver \$95 + tax	Kanab \$95 + tax	Provo \$85 + tax
Blanding \$90 + tax	La Verkin \$85.00 + tax	Roosevelt \$90 + tax
Bluff \$100 + tax	Layton \$90 + tax	Salt Lake Area \$100 + tax
Brigham City \$90 + tax	Lehi \$85 + tax	Springdale \$85 + tax
Bryce Canyon City \$90 + tax	Logan \$95 + tax	Springville \$85 + tax
Cedar City \$80 + tax	Mexican Hat \$90 + tax	St. George \$90 + tax
Draper/Centerville \$100+tax	Midway \$110 + tax	Tooele \$100 + tax
Duchesne \$100 + tax	Moab \$150 + tax	Torrey \$95 + tax
Ephraim \$80 + tax	Monticello \$100 + tax	Tremonton \$90 + tax
Escalante \$85 + tax	Nephi \$95 + tax	Vernal \$95 + tax
Farmington \$100 + tax	Ogden \$95 + tax	Washington \$95 + tax
Fillmore \$85 + tax	Orem \$85 + tax	All other Utah cities \$75 + tax
Green River \$110 + tax	Park City \$110 + tax	

## IN-STATE MEALS

- The basic meal allowance for a 24-hour period of travel is \$54. The allowance rates listed include tax, tips, etc. associated with the meals.
- Meal Rates: Breakfast \$13, Lunch \$15 and Dinner \$26. Fiscal year changes posted at <https://ffsl.link/travel-per-diem> - for QR code see 3.13 on page 167.

## GROUP GATHERINGS

Group gatherings include state-sponsored conferences, training sessions, board meetings, management retreats, and service award gatherings. If your gathering will cost less than \$1,000 then you do not need to fill out a FI-58 Group Gathering Authorization form. In this case you would just need to provide a list of attendees and an agenda with the invoice when you submit it for payment. If your gathering will cost more than \$1,000, you will be required to fill out the Group Gathering Authorization form at least 45 days prior to the gathering. Submit that form to FFSL Finance for review. The Group Gathering form, FI-58 can be found at <https://finance.utah.gov/forms>, under the State Travel forms - for QR code see 3.16 on page 167.

- Food purchases must stay within the meal per diem
- Lodging must stay within per diem
- Try to hold the gatherings at a state-owned facility to avoid extra fees
- All state travel policies still apply

The following guidelines need to be followed for group gatherings. Any deviations from these guidelines must be justified in writing as to why they are necessary, reasonable, and in the best interest of the State. You must have the Financial Manager's approval first before any deviations from these guidelines occur.

Meals provided for group gatherings starting by:

- 8:00 AM Breakfast and/or AM Break
- 9:00 AM AM Break
- 11:00 AM Lunch
- 1:00 PM PM Break

Meals provided for group gathering ending by:

- 11:00 AM Breakfast or AM Break
- 1:00 PM Lunch
- 4:00 PM PM Break
- 7:00 PM Dinner

To be entitled to dinner, the function must have structured group interaction or activities such as speakers, presentations, or awards during the meal.

A list of caterers that accept per diem rates can be found at <https://ffsl.link/per-diem-catering-list> - for QR code see 3.28 on page 169. Tax and up to 22% gratuity may be added to the costs of catering. This gratuity can also be added to all applicable facility charges ex: food/beverage spend, meeting room

rental, A/V rental, etc. To submit a group gathering form for authorization fill out the form to the best of your knowledge and email it to FFSL Finance staff.

## **RENTAL VEHICLES**

Renting a vehicle may be necessary under any of the following circumstances.

- Travelers' assigned fleet vehicle breaks down and a continuation of travel exists.
- No state fleet vehicles are available and a cost comparison using a private vehicle was considered (Short Term Rental through Enterprise and Division of Fleet Operations (DFO) online rental).
- A rental was authorized for non-emergency travel under the annual travel plan and out-of-state travel request.
- Emergency travel for incident response. Rental vehicle approval is listed on the traveler's incident resource orders. The process may differ based on the circumstances. Rental vehicles are either booked directly through the state travel office or through the online DFO short-term system.
- State Travel: Currently Enterprise, Hertz and National are on contract. Call State Travel during business hours or on their 24-hour after-hours number for booking authorized rentals or if your fleet vehicle breaks down and no other means of continued vehicle travel exists. Fleet will no longer book a vehicle on a roadside assistance ticket. The traveler must book the rental vehicle through State Travel.

## **OFF-ROAD DRIVING**

Risk Management has agreed to cover damage to the vehicle when using commercial vehicles during state assignments in off-road situations. Off-road is defined as a road system that is not regularly maintained by a governmental entity. State Risk Management will cover the damage to rental vehicles used in the course and scope of employment during off-road situations if you comply with the following.

- Vehicles will be rented only when absolutely necessary.
- The traveler rents only vehicles that are appropriate for off-road use, i.e., trucks or four-wheel drive vehicles designed to go off-road.
- The vehicles will be used only for work purposes while off-road. In this situation, there will be a \$750 deductible if the vehicle is rented through the state travel contract. If a vehicle is not rented through an existing state rental contract, there is still only a \$750 deductible when the exceptions apply: "where the insured can demonstrate that a reasonable attempt was made to use such contract, but no automobile was available to the insured under such contract: document as follows: A. at the time needed; B. at the place needed; C. of the type needed."

## **FLEET VEHICLE SERVICE AND REPAIR**

Fleet's Vehicle Services Center (VSC), (855) FLT-UTAH (358-8824) provides emergency roadside assistance and vehicle maintenance support for the DFO. The Fleet Service Schedule should be kept in the vehicle at all times. Enclosed in the packet you will find the following information.

## PREVENTATIVE MAINTENANCE SERVICE SCHEDULE

This is to be used exclusively for routine preventive maintenance with mileage intervals and service requirements preprinted on each coupon. If you have already passed the initial mileage intervals, please destroy the coupons which no longer apply. Fleet has developed these service requirements, together with the automobile manufacturers, to ensure:

- safe operation of all vehicles;
- that all warranty requirements are met; and
- that maintenance costs are prudently managed for your agency.

For information about vehicle maintenance please go to the following site: <https://ffsl.link/fleet-maintenance> - for QR code see 3.17 on page 168.

A phone call for routine maintenance is not required. However, you are always encouraged to call Fleet's Service Center, (855) FLT-UTAH (358-8824) for towing or prior to taking your vehicle in for any unscheduled service to discuss problems or concerns that you may have with your vehicle.

## WINDSHIELD REPAIRS

There are multiple vendors with a State contract that can provide windshield repairs. You can find these vendors at the following link:

<https://ffsl.link/fleet-maintenance> - for QR code see 3.17 on page 168. Scroll down to the Windshield section.

PLEASE NOTE: Safelite is no longer on contract and all full-leased vehicles will not be covered if the repair is done at an off contracted vendor and will be the responsibility of the agency to pay for. For full-leased vehicles or any agency who uses the Vehicle Services Center to process vehicle maintenance and repairs, it is still required that the vendors call the Vehicle Services Center at 1-855-358-8824 for pre-approval to replace the windshield or perform any needed repairs on the vehicle.

## DEF, OIL, OR OTHER VEHICLE FLUIDS

The proper procedure for obtaining diesel exhaust fluid (DEF) for your assigned State vehicles is to take the vehicle into a State approved repair vendor, have that vendor call the Vehicle Services Center 855-358-8824 to get authorization, and have them fill the DEF tank. Fleet does allow small purchases for a quart of oil, antifreeze, DEF, or other fluids to be made on the vehicle's gas card, but these are only appropriate where Wex Gas cards are accepted.

Fleet prefers that the driver makes every effort to have the DEF tanks and all other fluids filled at a repair vendor as they will have bulk pricing and are the State's preferred maintenance vendors.

## **NON-ROUTINE MAINTENANCE AND REPAIRS**

These types of requests are handled by certified service technicians by simply calling (855) FLT-UTAH (358-8824). Call prior to taking your vehicle in for service to find a vendor. To authorize repair, a Fleet service technician will speak directly to the authorized service facility.

The information listed below serves as a reminder regarding the appropriate steps to take should a leased vehicle breakdown.

- Call (855) FLT-UTAH (358-8824).
- Roadside Assistance is available 24 hours a day. The VSC operator will need information including: Vehicle # or License Plate #. This information can be found in the Fleet Service Schedule. The VSC will arrange to transport the vehicle and sometimes the driver to the nearest authorized service station for repair.
- Arranging Driver Transportation: If the driver needs a vehicle immediately and no other fleet vehicle is available, you must call the Utah State Travel Office emergency or afterhours number to schedule a rental (888-739-7018).
- Repair Time: If a driver does not need a vehicle immediately, they may wait for repairs to be finished or arrange for transportation home or back to the office. Transportation options include:
  - » Enterprise Rent-A-Car (arranged through Utah State Travel)
  - » Riding home with the tow truck driver (if allowed)
  - » Operations service workers (Salt Lake, Davis, Utah, or Weber County)
  - » UTA
  - » Personal contacts
  - » Taxi
  - » Employees from the driver's office

Should the repair process require an overnight stay at the service station and no feasible transportation alternative is available, arrangements should be made through State Travel for the driver to stay overnight in a hotel while the vehicle is being repaired. The overnight stay will be a cost borne by FFSL and not a DFO responsibility.

## **TIRE REPLACEMENT PROCEDURE**

The information listed below serves as a reminder regarding the appropriate steps to take when a vehicle requires tire replacement.

- Full Service Lease Vehicles (most, if not all FFSL vehicles)
- Tire replacement is a valuable aspect of the DFO "Full" service lease plan. These vehicles can proceed directly to an authorized Goodyear, Firestone or Michelin tire dealer for service.
- Goodyear
  - » The Goodyear Tire dealer will contact Fleet's Vehicle Service Center with the required vehicle information. Once the service is authorized, the dealer will install the necessary tires and payment will come from DFO.
- Firestone and Michelin



- » The Firestone or Michelin Tire dealer will contact the DFO Approval Team at 801-619-7233 with the required vehicle information. Once the service is authorized, the dealer will install the necessary tires and payment will come from DFO.
- Capital Lease and Owned Vehicles and Equipment (LPCC chipper trucks, trailers, chippers)
- If a vehicle is operating under a “Capital” lease plan or is owned by the operating agency, the operating agency is responsible for tire replacement. Once the driver has obtained purchasing authorization from the operating agency, the vehicle may proceed to the nearest authorized vendor for service. Contact Fleet’s Vehicle Service Center, 855-358-8824 for authorized vendors.
- Please contact Fleet’s Vehicle Service Center, (855) FLT-UTAH (358-8824) with any questions.

### **REIMBURSEMENT - VEHICLE MAINTENANCE AND OPERATING SUPPLY**

The State Fuel Network has a new partnership with Wex (Fleet Card). WEX fleet cards are accepted at 95% of U.S. fuel stations. This is in addition to the more than 130 sites that are currently managed by the State Fuel Network.

You can find locations at their website: <https://ffsl.link/WexLocations> - for QR code see 3.18 on page 168. You can also download their app on iPhone or Android. The app is called Wex Connect.

If you need assistance with the new Wex fuel cards please contact DNR motor pool during normal office hours (801-538-7369). For after hours and weekends you may call WEX 24/7 at 1-800-492-0669.

An employee may be presented with situations when personal credit cards, State travel cards or State Purchase Visa Cards (P-Card) are used for vehicle operations.

There are separate processes and limits on rental and fuel reimbursement.

- If you have trouble using the Fleet Card for an agency vehicle, call Tyler Burningham at 801-538-7369. If you paid for the fuel yourself, submit your receipt to the finance team’s Invoice and Travel Submission Form, found on the FFSL Enterprise <https://ffsl.link/EnterpriseForms> under the Finance Section - for QR code see 3.21 on page 168.
- , with an explanation of the purchase.
- P-Cards with Merchant Category Codes (MCC) code approval for fuel purchases could be used to fuel State vehicles in rare circumstances. The DFO has no formal process to reimburse FFSL for fuel purchased on a P-Card.
- P-Cards with MCC code approval for fuel purchases may be used on rental vehicles. DFO will not reimburse fuel purchased for rentals that are temporarily replacing an inoperable agency vehicle.

## **PURCHASING**

### **STATE PURCHASING CARD**

The State Purchasing Card or P-Card is a Visa card that is designed to supplement or eliminate a variety of processes including petty cash, local check writing, low-value authorizations and small dollar purchase orders. It provides a more efficient, cost effective method of purchasing and payment for small dollar transactions.

The P-Card can be used for in-store purchases as well as mail, online, telephone and fax orders. Each card has pre-established monthly credit limits. Additional limits can also be placed on the dollar amount of each transaction and the number of daily transactions per day. The P-Card has certain MCCs blocked to prevent it being used with inappropriate or high-risk vendors. FFSL has established guidelines to authorize the issue and use of the P-Card. Contact your Area Manager or immediate supervisor for card availability. FFSL limits the number of cards issued and closely monitors the employee's use of the card.

It is the card holder's responsibility to ensure all State Purchasing policies are followed. Refer to the Purchasing Flow Chart found at <https://ffsl.link/UtPurchasingFlowchart> - for QR code see 3.19 on page 168 to ensure all steps are being followed. It is required that all card holders become familiar with the Purchasing Card Policy FIACCT 0515.00 found at <https://ffsl.link/UtPcardPolicy> - for QR code see 3.20 on page 168. All P-Card holders must take the small purchasing training prior to the assignment of a P-Card.

### **P-CARD USAGE**

All card holders are responsible for monthly reconciliation of all authorized purchases. Supervisors will be accountable for subordinate conduct and ensure all reimbursement documentation meets the following standards:

- Accidental usage of the P-Card for personal use must be reimbursed 100% to the State within the same billing cycle
- All original receipts, itemized meal tickets, rosters, agendas, and lodging authorizations must be attached to the P-Card reconciliation
- Number receipts to match entry on the P-Card log
- P-Card logs must be fully completed and detail specific to ensure management understanding and justification for all purchases
- Logs should include the activity period starting on the 10th of the month and ending on the 10th of the next month
- Logs should be submitted to the Salt Lake Office within the same month the statement is issued
- Each card holder will receive a monthly email from Finance with their statement and a due date of when to return their reconciliation log

- All logs must be signed and dated by the cardholder and then approved by the Area Manager/Program Manager
- Authorization is needed for all purchases. Each purchase should be signed and dated when the item is received
- Report lost receipts and complete and attach a Missing Receipt Form
- Cardholder will request reimbursement for over expenditures and pursue lost receipts of missing information
- Cardholder must be expeditious in correcting any mistakes
- Cardholders must submit all fiscal year end expense reports before mid-July
- Sales tax charges should not happen, but if they do the cardholder is responsible to get the tax credited back to the state regardless of how small the tax charge is

FFSL recommends that if you are unsure about a purchase you should contact the Division's Financial Manager before making the purchase.

### **STATE RESTRICTED PURCHASE ORDER (RPO) AND DEPARTMENT OF ADMINISTRATIVE SERVICES (DAS-PURCHASING)**

All in-state commodity purchases should be approved by your immediate Supervisor. Once you receive approval via email from your Supervisor, you may proceed with your purchase. If the vendor does require a RPO number, use your area initials and the date as the RPO number. (i.e. SW#####, NE#####, SE#####, etc. Upon receipt of the invoice, attach approval email, stamp, code, sign and date the invoice, Give the invoice to your supervisor for signature. Once signed, forward to the Salt Lake office for payment.

Certain items must be purchased under a State Cooperative Contract. Your supervisor will provide you with the names of local contract vendors. A current list of State Cooperative Contracts can also be obtained online at: [www.purchasing.utah.gov](http://www.purchasing.utah.gov) (follow menu). To automatically receive an email when the Purchasing Update is distributed, send a blank email (without your signature) to the following email address: [subscribe-das-purchasing-newsletters@list.utah.gov](mailto:subscribe-das-purchasing-newsletters@list.utah.gov) and you will automatically be added to the list.

### **SMALL PURCHASES**

To purchase approved goods or services below \$5,000, a phone quote is not required, however you should use State contracted vendors or specific state institutions (i.e. UCI, DTS, Fleet, etc.) first. If unable, use best practices to obtain value and document why you could not use a preferred vendor. It is always best to check with one of the Finance team before you stray from State Contracts. If the item you are trying to purchase is not on any State Contracts and is unavailable through another State Agency follow these steps:

- Select the best source to obtain the item or service.
- Receive your Supervisor's approval to purchase the needed goods

- Ensure that the total cost of the item does not exceed \$5,000 and the total cost of the invoice does not exceed \$10,000
- Purchase
- Stamp, code, and sign the invoice with the approval and the received date
- Submit the invoice to the State Office Finance team for payment

***A note of importance***

- Shipping costs should be included in the overall total, so if the cost of shipping causes the item to be over \$5,000 it is no longer a small purchase. You would be required to get two quotes.

Employees must obtain price quotes from at least two and preferably three vendors for all purchases from \$5,001 up to \$10,000 that are not supplied by producing/distributing departments or divisions of the State and that are not included in a required-use state contract. Price quotes are required and may be obtained by phone, fax, email or letter from a representative of an established, viable vendor and documented on a telephone quote sheet.

When obtaining quotes from a vendor it is important that each vendor is given the exact same information. We have to ensure that the solicitation process is competitive and fair. If one vendor asks a question about your scope of work, you need to make sure that all other vendors that are bidding have the exact same question and answer given to them. Ask for shipping or handling fees and note any discounts offered.

- Internet bids can be used and must be printed, contain all cost information, and be attached to the invoice when submitted.
- During the process of obtaining competitive quotes, the information gathered (i.e., price, delivery, brand) cannot be disclosed to any potential vendor until after the award has been made.
- Award must be made to the vendor submitting the lowest quote meeting minimum reasonable specifications and delivery date established by the ordering employee.
- If for some reason this low bidder is not the one that is awarded you need to explain why. Location is one of the few reasons it is okay to go with another bidder.

For purchases over \$10,000, the Division of Purchasing, Department of Administrative Services (DAS Purchasing) retains primary responsibility and control. All purchases over \$10,000 will be made by DAS – Purchasing, with the following exceptions:

- the product or service is available through another state agency (see policy 04-01.00–Purchasing – Purchases from Other Agencies);
- the product or service is covered by a master agreement (see policy 04-02.00–Purchasing – Master Agreements); and
- a special delegation (DGR) has been obtained from DAS – Purchasing (see policy 04-14.00–Purchasing – Special Delegations).

- Work with FFSL's Contract and Grant Analyst to complete this type of purchase.

## **SOLICITED FFSL AGENCY CONTRACTS**

Under the control of the DAS Purchasing, FFSL agency contracts were solicited for Portable sanitation for use on emergency incidents. These contracts can be used by other federal agencies when payment is made by FFSL regardless of jurisdiction. Copies of the contracts are on the M: drive.

## **LIMITED PURCHASING DELEGATION (LPD)**

The Division of Purchasing and General Services delegates limited purchasing authority to the State FMO under guidelines outlined in LPD 191. This delegation is conditional and audited annually. It provides guidelines to facilitate the establishment of pre-suppression and suppression contracts and purchases for equipment, supplies and land use and facility agreements. The State Fire Management Officer (FMO) has delegated authority to a specific list of Division personnel to act on their behalf to implement provisions of LPD 191. Both the LPD and delegated staff can be found in the reference section of this manual.

Use of LPD 191 and associated FFSL contract templates will be outlined in the Incident Business Management section.

## **COUNTY PURCHASES**

For county purchases, the fire warden will need to obtain the necessary instructions from the county clerk or auditor.

## **EQUIPMENT ACCOUNTABILITY**

Each employee is responsible for all equipment issued to them. The property transfer records will serve as the official record of property accountability. All employees will be held accountable at termination of employment for all property issued. All employees are subject to inspection at any time to verify possession of inventory items and to determine whether the equipment is being cared for properly.

At times, an employee may transfer property charged to them to another employee. Use the Division Equipment Transfer Form located on the FFSL Enterprise <https://ffsl.link/EnterpriseForms> under Misc Section - for QR code see 3.21 on page 168.

## **EQUIPMENT LOSS OR DAMAGE**

Loss or damage of State-owned equipment must be reported to the supervisor immediately in writing. The report should include a narrative stating the location, date and activity under which the equipment was lost or damaged. Use the Division Equipment Transfer Form to remove any lost property from state office records.

- Loss or damage to State-owned accountable property on an incident should be reported to the Incident Management Team (IMT) Claims Unit and file a Property Loss and Damage Report on form OF-289. The host agency or IMT may designate additional or different forms. Standard cache related items may be replaced at the incident (preferred) or authorized for replacement at the home unit with an accompanying "S" supply number on an incident replacement form OF-315. Specialty items and traceable property will require approval from the jurisdictional agency administrator or Incident Business Advisor (IBA).
- State property loss during non-incident activities will be reported to your supervisor using a FFSL property transfer document. Additional documentation may be necessary. If it is shown that loss or damage is due to negligence on the part of the employee, the employee may be required to replace the item and/or face disciplinary action.
- Personal property lost or damaged at an incident can be documented on a federal form AD-382 or DI-570, a general message, or written narrative. The incident will keep a copy for documentation. A determination of the employee claim will be made by FFSL. If the claim is found in favor of the employee, FFSL will provide reimbursement at a value based on age and condition.

## **INCIDENT BUSINESS MANAGEMENT COST-SHARE AGREEMENTS**

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A cost-share agreement will document the financial responsibility for incident resource costs when it is determined costs need to be shared. The agencies having jurisdiction are responsible for developing and signing Cost-Share Agreements. The IMT may be asked to assist and will need to verify that the Agreement can be implemented and costs can be accurately tracked.

Cost-share agreements will follow guidance in the applicable cooperative agreement. The finance section should coordinate with operations and aviation to ensure costs are tracked in E-ISuite in accordance with the cost-share method utilized.

A cost-share agreement must be prepared for all multijurisdictional incidents. All parties will make a good faith effort to resolve cost sharing soon after the fire starts. Fire wardens will complete a cost-share agreement form in triplicate. Copies of the cost-share agreement will be submitted to your supervisor, who will upload the form into FBS.

If the AA's between the negotiating agencies determine that a "Percent of Acres Burned" is NOT going to be used for the sharing of costs then a state office review of the negotiated cost-share will be required. Once the negotiations have been completed at the area level and before a signature from the State is attached, a review of the cost-share will be made by Fire Program and Division Administration. You will need to send the cost-share to the State Office for their review and approval. If the

cost-share is implementable and fair, Fire Program administration will approve and sign the cost-share and send it back to the AA for final signatures.

A cost-share template is located on FFSL Enterprise, <https://ffsl.link/EnterpriseIBM> - for QR code see 3.22 on page 168. A list of key points to include in cost-share agreements is listed in the reference section.

Cost-share agreements must correspond to agency cost accounting/tracking methods in order to facilitate the billing process. The most defined cost apportionment is based on a full operational period.

Costs associated with, and incurred by, incident generated resource orders are typically shared.

Costs not shared include accountable and/or sensitive property purchased by the agency, administrative overhead costs and surcharges, post rehabilitation costs among others listed in the Standards for Interagency Incident Business Management (SIIBM) or cooperative agreements.

Final cost determination can use incident generated data, which will include actual and estimated expenditures or may be finalized using agency financial records. Incident generated costs can be used to generate an agency responsible percentage applied to the actual financial agency records.

Actual costs reported from each agency accounting system are generally provided as a summary of costs and lack the detail to break out specific resources. Therefore agreements to split air costs may specify a dollar amount. Cost-share agreements assigning agency percentages of the total incident cost (may exclude air cost) works to the advantage of land ownership. Acres burned as a percentage of ownership is the most common cost-share method used in Utah. Other cost-share methods listed below rely on resource tracking and daily cost estimates. It will be important to have finance personnel assigned to the incident who are familiar with an automated cost tracking system to use the more detailed apportionment methods.

### **COST-SHARE METHODS MAY INCLUDE**

- **Mutual Aid (Initial Attack) agreements:** Pre-season agreements or operating plans will describe how costs are to be shared, usually within the first 24-hour period or a defined initial attack agency cost (see State Operating Plan).
- **Ownership/Acres Burned:** Based on the percentage of burned acres owned/managed by each agency. (i.e. 20% of burned acres are state lands - FFSL pays 20% of suppression costs). Protection objectives may require a separate percentage or estimated dollar amount to be calculated for aircraft/retardant cost.
- **You Order You Pay:** Each agency is fiscally responsible for the resources they order, regardless of where they are used at the incident.

- **Cost Apportionment of Resource Use:** The apportionment method shares final incident costs (indirect/direct) based upon the usage of direct resources in the incident action plan or location of actual use per operational period (documents where the direct effort was applied). The outcome will generate a percentage of benefit by agency that is applied to the incident's actual cost derived from final agency accounting systems.
- **Proportionate Share:** Costs between agencies can be based on a summary of daily estimated incident costs and each agency's proportionate share. Daily agency cost percentages should be documented on the Incident Action Plan (IAP). Aircraft and retardant should be on an actual use basis.

## LAND AND FACILITY USE AGREEMENT (LUA)

Land and facilities are often acquired to set up an Incident Command Post (ICP) or simply provide fire crews a place to rest, eat or shower. Prior to an emergency these can be contracted by private entities by FFSL management under the LPD191 by using the FFSL Land and Facility Use Contract Form. Land and facilities from other public entities do not require the authority of LPD191. During an emergency, the contract form is completed as an emergency procurement. The FFSL form references state purchasing terms and conditions under state law. Do not execute an agreement using a federal form. Note: When an FFSL Land and Facility Use Contract Form is going to be executed outside of an emergency situation it is required to obtain approval from the LPD191 designees prior to agreeing to terms and use of the land or facilities. Payment can only be made by FFSL regardless of fire jurisdiction. The form is on FFSL Enterprise located at: <https://ffsl.link/EnterpriseIBM> - for QR code see 3.22 on page 168.

FFSL state office has personnel on-call that can be ordered to negotiate and execute LUAs.

The LUA will need a supply resource order number (S-Number). A request is made through the ordering unit or directly to dispatch. To fill the order, they will need to know the purpose of the LUA, general location and name and contact information of the property owner.

Here are some guidelines to assist you in negotiating rates for facilities. Size of property and scope of use may affect a negotiated price. Prior to negotiating a daily price, consider a total if you would need the land or facility for a month. Would the monthly calculated total suggest the government would pay too much?

- **Government owned facilities:** Schools will have recently cleaned carpets and polished floors. Central heating and air conditioning systems may not be zoned and can increase utility costs. Special arrangements may be needed to modify outside irrigation systems in parks and school grounds. If possible limit access to some areas and avoid gym floors that can be scuffed. Limit use of office equipment and



bathrooms if possible. You may need to provide reimbursement for trash collection and service to office copiers in your negotiations.

- **Public Schools, State/County/City Parks** – \$100 to \$500/day. Government owned facilities should only be reimbursed for operating costs (wages, utilities, cleaning, damage, etc.) not profit.
- **Privately owned facilities** – Private landowners may refuse compensation and see the opportunity to provide their land as a civic responsibility and overall benefit of the fire effort to limit the fire's intrusion onto other property. In these cases, it is still necessary to document their intentions and provide for unforeseen damage to the property.
- **Land only** – \$50/day–\$300/day based on acres used and size of camp.
- **Land, parking surfaces and structures** – \$100–\$500/day
- Any modifications to an agreement needs to be in writing. Generally FFSL will not obligate state services for cleaning and rehabilitation to property. FFSL will review any claims for damage and repairs above the normal wear and tear included in the negotiated rate.
- LDS church property requires a Hold Harmless Agreement when using their property for emergencies. The LDS Hold Harmless form has been reviewed by Utah Risk Management and requires an Addendum before FFSL signs the agreement. An LDS agreement and attached addendum form is in the Reference Section. It can also be found on FFSL Enterprise on the Incident Business Management Page: <https://ffsl.link/EnterpriseIBM> - for QR code see 3.22 on page 168.

## WATER SOURCES

- Generally, water from any natural sources can be used by the State in fire suppression efforts for the benefit of the public without reimbursement. Reference 63K-4-201 AUTHORITY OF GOVERNOR — FEDERAL ASSISTANCE — FRAUD OR WILLFUL MISSTATEMENT IN APPLICATION FOR FINANCIAL ASSISTANCE — PENALTY.
- All water whether above or below the ground is considered to be property of the public until a specific amount allowed under an individual's water right is actually used for its appropriated benefit.
- Reimbursement or replacement may be considered only when the taking of captured or stored water impairs the individual water right at the point of use (POU). If the claimed amount of water is not used for its beneficial purpose or the Division's use of water in fire-fighting does not impair the water rights holder's ability to fulfill their water needs, there is no compensation or reimbursement.
- Impairment may be calculated only after the amount of water taken has been determined, time of use and natural water replacement or lack thereof is considered to show impairment by the individual or landowner.
- Water from a culinary source or origin may be reimbursable.

- Any compensation regardless of water source requires accurate documentation. This can be a meter on a hydrant or tracking gallons used and recorded on equipment shift tickets or helicopter daily use sheets. The State will not pay amounts above standard use rates.
- A land-use agreement can be established for crossing private land to access water that will be used for fire suppression efforts or payment for use of private pumping equipment.
- Incident Management Teams operating in Utah should coordinate with the State Area FMO or the Fire Business Coordinator at 801-538-5413, if they need more information.

## **PRE-SEASON AND/OR EMERGENCY CONTRACTS**

Equipment and/or services can be hired from local private vendors under our provisional delegation LPD 191. Contracts will be negotiated and signed by personnel delegated by the State FMO. Note: These contracts are in addition to Cooperator Rate Agreements and County or other State agency agreements (i.e. Utah Department of Transportation). All contracts executed by FFSL must be paid by FFSL regardless of incident jurisdiction.

FFSL contract templates for suppression equipment and services have been created and reviewed by DAS-Purchasing. These documents reference State Standard Terms and Conditions, typical scope of work and process for ordering and payment. Contract templates are updated annually before May 1st and can be found on the M:drive.

Rate determination on State Contracts may require review of regional Virtual Incident Procurement System (VIPR) contracts for similar equipment or may be found in the Great Basin supplement to SIBM Chapter 20. Equipment rates solicited through VIPR contracts no longer have suggested rates listed in Chapter 20. VIPR contracts can be viewed at <https://ffsl.link/vipr> - for QR code see 3.23 on page 168. Chapter 20 Great Basin supplement can be found at: <https://gacc.nifc.gov/gbcc/business.php> click the drop-down under Great Basin Supplements - for QR code see 3.24 on page 168.

FFSL pre-season agreements can be forwarded to your local dispatch office and FFSL State office. These preseason contracts will become part of a special area FFSL dispatch priority list (DPL) or resource list for state jurisdictional fires (see following DPL guidance).

FFSL will maintain a statewide master resource list and file for all FFSL contracts signed under the LPD 191 authority. The signed contracts will be reviewed annually for use and compliance.

## DISPATCH PRIORITY AND RESOURCE LISTS (DPL)

Agencies solicit for contracted resources based on their local and geographic area needs. Some contracted resource categories may or may not be on a DPL provided by the Forest Service (FS) or Bureau of Land Management (BLM), but on a DPL or resource list provided by another federal or state cooperater. Dispatch procedures for agreements awarded by cooperaters may vary from Forest Service and BLM agreements based on the host agency policy and other determining factors. In geographic areas where this occurs, follow local and geographic area ordering procedures.

Dispatch priority for contracted resources does not preclude the Government from using any agency owned or agency (Federal, state, or local) cooperater resources for initial attack or extended attack/large fire support before ordering/mobilizing contracted resources under agreement. Agency owned and/or agency cooperater resources may be requested at any time.

- **DPLs:** Dispatch Priority Lists are generated for all contracted resources awarded under competitive Incident Blanket Purchase Agreement (I-BPA) (FS and BLM). Each contracted resource has an identified Host Dispatch Center or Geographic Area Coordination Center (GACC). A DPL for each Host Dispatch Center or GACC will be posted to the web providing the priority listing for each resource category awarded under an I-BPA. For DPL and IBPA's (Pre-Season Agreements) go to: <https://gacc.nifc.gov/gbcc/equip.php> - for QR code see 3.25 on page 169.
- **Resource Lists:** A Resource List is generated from agreements that are not completed through a competitive process. The Resource List may be based on the date the agreement is signed, price or other factor determined by the agency, and not by a "best value" determination. BLM and state agencies may use resource lists for some equipment categories. The Forest Service uses DPLs for all equipment categories on an I-BPA. Check with the appropriate agency for protocol on how to use Resource Lists for contracted equipment. Agency protocol may vary on how to use the Resource Lists, and may be sorted by an agency specific ranking method.
- **Demobilization of Contracted Resources:** The Incident Commander (IC) will determine the priority of demobilization. When demobilizing contracted tactical equipment, contractors awarded I-BPAs as a result of competitive solicitations, shall be given priority to remain on the incident over tactical equipment with incident-only Emergency Equipment Rental Agreement (EERA), unless the IC determines it necessary to deviate based on a specific incident need or objective. This applies to contracted tactical equipment only, and not all contracted resources. Incident-only EERAs are for the duration of the incident only and will terminate at the end of the incident.

FFSL has solicited and provided multiple awards for small caterer businesses and portable sanitation businesses. Additional information is discussed in the PURCHAS-

ING section; Agency Solicitations and Limited Purchase Delegation LPD 191 of this chapter.

National operating guidelines on DPL's is available at: <https://www.nifc.gov/nicc/logistics/reference-documents> - Under the Equipment and Supplies section - for QR code see 3.26 on page 169.

## **INCIDENT COST TRACKING**

Costs for all in-state fires regardless of jurisdiction are tracked through the FBS consolidated billing system at the Salt Lake office. Submitted fire reports document state provided services. When any one agency's cost is less than \$5,000, no reimbursement will occur (see State wide AOP and cooperator response exception). Fire Wardens may be asked to reconcile fire reports, incident names and numbers based on federal fire activity reporting.

The Great Basin has developed a standard cost spreadsheet using geographic rates. The spreadsheet can be used to generate an initial cost estimate. The spreadsheet is available at: <https://gacc.nifc.gov/gbcc/business.php> - under the Great Basin Supplements section - for QR code see 3.24 on page 168. There is also a cost calculator installed in FBS that users may use in lieu of the calculator on the GACC website.

## **BILLING FOR STATE SERVICES**

Out-of-state responses require proper reporting on the FFSL timesheet and must be reconciled with incident time postings. Accurate documentation is necessary for reimbursement for Utah State resources responding to out-of-state fires. All out-of-state assignments will be billed using FBS. There are also FFSL billing forms on the M:drive or FFSL Enterprise to assist with time and charge reconciliation. These billing forms and the following documents may be needed for reimbursement of suppression costs.

- Incident resource order per incident (ICS-259)
- Emergency firefighter time report (OF-288)
- Original crew time report (SF-261)
- Division timesheet (Printed copy of the ESS Time posting)
- State Property loss or damage and S#(OF-289)
- Original emergency equipment shift tickets (OF-297)
- Incident replacement requisitions with S# (OF-315)
- Itemized receipts-travel (i.e. hotel, fuel)
- P-Card log with receipt(s)
- Mileage log
- A copy of the state travel reimbursement form

State employees keep original Crew Time Reports (SF-261) and Emergency Firefighter Time Reports (OF-288) and give legible copies to the incident. State employ-

ees are entitled to hazard pay. Agency engine and chipper hourly use is recorded on emergency equipment shift tickets (OF-297). Vehicle usage for overhead and crew transport is documented through fleet reporting at the home unit. Reimbursable rates are listed in Chapter 10 Reference Section.

## **REPORTING COUNTY FIRE ACTIVITIES**

### **FIRE REPORTS**

Fire reports provide specific information on each fire for historical and statistical records. It also acts as a basis for billing, fire investigations and other actions specific to that fire.

Fire reports allow an assessment of the overall fire situation. This in turn will affect critical strategic decisions at the area and state levels. It may affect resource priorities, prevention actions and the overall management of the fire season.

The information provided should be as accurate as possible, consistent and submitted promptly.



The Fire Warden is responsible for filling out a fire report for all fire responses and suppression activities in their county. This includes all fires which are turned over to other agencies and/or overhead teams to manage. This also includes but is not limited to:

- false alarms;
- fires on state and/or private lands;
- fires in cities on which state and/or federal suppression resources were used;
- federal land fires that use state or county suppression resources;
- large incident fires involving any state, county or private lands; and
- any wildland fires involving state or county suppression resources.

It is imperative only one fire report be made for each fire. The Area FMO is responsible to ensure all fires which occur in their area have reports completed. These reports should be completed in a timely manner. Typically, fire reports should be completed within 2 weeks of the fire being called controlled.

The state Fire Business System (FBS) is web based. A report will be submitted electronically. The web address for entering fire reports is: <https://ut.firebilling.org/> - for QR code see 3.27 on page 169. You will need to login to FBS to access the fire report module within FBS. If you need a login or have questions about the fire reports module, you should contact the FBS administrator at 801-538-5413.





## CHAPTER 3 QR CODES

<p><b>3.1</b> Access to network files through web browser</p> 	<p><b>3.2</b> FFSL Enterprise</p> 
<p><b>3.3</b> ESS</p> 	<p><b>3.4</b> HR-6 Workplace Injury/Illness Report Form Under Safety Section</p> 
<p><b>3.5</b> WCF-Preferred Providers Clinics</p> 	<p><b>3.6</b> WCF-IMC Instacare</p> 
<p><b>3.7</b> WCF-Preferred Providers Hospitals</p> 	<p><b>3.8</b> DNR Policies</p> 

<p><b>3.9</b> FFSL Uniform Information</p> 	<p><b>3.10</b> FFSL Uniform Policy</p> 
<p><b>3.11</b> State Travel</p> 	<p><b>3.12</b> FFSL Finance Desk Guide</p> 
<p><b>3.13</b> Travel Per Diem Rates</p> 	<p><b>3.14</b> GSA Per Diem Rates</p> 
<p><b>3.15</b> In-State Travel Lodging</p> 	<p><b>3.16</b> Finance Forms</p> 

<p><b>3.17</b> Fleet Maintenance</p> 	<p><b>3.18</b> Wex Fleet Fuel Card Locations</p> 
<p><b>3.19</b> State Purchasing Flow Chart</p> 	<p><b>3.20</b> Purchasing Card Policy</p> 
<p><b>3.21</b> FFSL Enterprise Forms</p> 	<p><b>3.22</b> FFSL Enterprise - Incident Business Management</p> 
<p><b>3.23</b> VIPR Contracts</p> 	<p><b>3.24</b> Great Basin IBM Chapter Supplements. etc.</p> 



<p style="text-align: center;"><b>3.25</b> GBCC Equipment &amp; Supplies</p> 	<p style="text-align: center;"><b>3.26</b> National Guidelines on DPLs</p> 
<p style="text-align: center;"><b>3.27</b> FBS</p> 	<p style="text-align: center;"><b>3.28</b> Per Diem Catering List</p> 

## CHAPTER 4 SAFETY/RISK MANAGEMENT

### INTRODUCTION

We strive to reduce accident frequency and severity in wildland fire operations through aggressive risk management. A comprehensive safety plan built upon operational training, equipment, and ethical responsibilities recognizes the ideal level of risk may be zero; however, a hazard free work environment is not a reasonable or achievable goal in fire operations. Through organized, comprehensive, and systematic risk management, we will determine the acceptable level of risk that allows us to provide for safety yet still achieve fire operational objectives. Risk management is intended to minimize the number of accidents, injuries or fatalities experienced by wildland firefighters.

### OBJECTIVES

The Division's first priority is firefighter and public safety. This priority is implemented in conjunction with all fire management plans. All project activities shall reflect this commitment.

The commitment to and accountability for safety is a joint responsibility of all firefighters, managers and administrators. Every supervisor, employee and volunteer is responsible for following safe work practices and procedures, as well as identifying and reporting unsafe conditions.

### INTERAGENCY SAFETY POLICY DOCUMENTS

The Division of Forestry Fire and State Lands under Utah Code 34 A Chapter 6 Utah Occupational Safety and Health Act in Section 204 is as follows:

- 34A-6-204. State agencies and political subdivisions to establish programs.
- The head of each state agency and each political subdivision of the state shall establish and maintain an occupational safety and health program equivalent to the program for other employment in the state. 34A-6-307 Renumbered and Amended by Chapter 375, 1997 General Session NWCG and interagency supporting documents:
- Incident Response Pocket Guide (IRPG) (PMS 461, NFES 1077)
- Interagency Standards for Fire and Fire Aviation Operations (Red Book) NOTE: NASF is not a signatory to this document. It is used for guidance only.
- Wildland Fire Incident Management Field Guide (PMS 210)

Other agency supporting documents:

- BLM – BLM Handbook 1112-1, 1112-2 25
- FWS – Service Manual 241 FW7, Firefighting 26
- NPS – DO-50 and RM-50 Loss Control Management Guideline 27
- FS – FSH-6709.11 Health and Safety Code Handbook

- Wildland Firefighter Health & Safety Report (Annual MTDC Publication)
- National Interagency Mobilization Guide (NFES 2092)
- FFSL - Safety Handbook (Current Edition)

## **RED CARD SAFETY REQUIREMENTS**

Red Card qualifications and currency are the means by which we maintain a nationally recognized standard to act in unity during operations. These operating principles guide our fundamental wildland fire management principles, behaviors, and customs, and are mutually understood at every level of command. They include Risk Management, Standard Firefighting Orders and Watch-Out Situations, LCES and the Downhill Line Construction Checklist. These principles are fundamental to how we perform fire operations, and are intended to improve decision making and firefighter safety. They are not absolute rules. They require judgment in application.

Employees engaged in fire suppression activities shall be qualified for their respective positions within the fire management organization according to current NWCG standards. This includes adhering to the physical fitness requirements for the position.

## **RISK MANAGEMENT**

### **PROCEDURES**

Firefighter and public safety shall be the foremost priority during all fire suppression and prescribed fire activities. Fire management incident action plans, reviewed and approved Rx plans whether written informally or using ICS forms shall declare and adhere to this practice.

Employees, contractors, and volunteers involved in state fire activities shall be responsible for adhering to the safe work practices and procedures in this section. Incident commanders and prescribed fire managers shall be responsible for analyzing the risks and hazards of each incident prior to engaging in suppression or management activities.

### **INTENT**

The goal of the fire safety program is to provide direction and guidance for safe and effective management in all activities. Safety is the responsibility of everyone assigned to wildland fire, and must be practiced at all operational levels from the Division Director to the unit manager to employees in the field. Agency administrators need to stress that firefighter and public safety always takes precedence over property and resource loss. Coordination between the fire management staff and unit safety officer(s) is essential in achieving this objective.

## **RISK MANAGEMENT PROCESS**

A risk management process is available in the Incident Response Pocket Guide (IRPG). See <https://ffsl.link/nwcg-irpg> - for QR code see 4.1 on page 175. The five-step process provides firefighters and fire managers a simple, universal, and consistent way to practice risk management by:

- Establishing Situation Awareness and identifying hazards
- Assessing the hazards and risks.
- Mitigating, controlling or eliminating hazards.
- Making go/no-go decisions based on acceptability of remaining risk.
- Evaluating effectiveness of hazard controls and continuously re-evaluating the situation. Firefighters shall have the right to a safe fire assignment or they can turn down an assignment. Refer to IRPG Grey Section.

Through successful completion of required NWCG training and completed task books, completed annual refresher, passing the work capacity test, issuance of an authorized red card, and Defensive Driving, employee's address safety in their annual performance plan contract with measurable goals and objectives.

Any future reference or policy change from NWCG or interagency rulings will be communicated to your area through the State Fire Management Officer. The Fire Management Program Guide will reflect these changes online until the following year's revision.

## **JOB HAZARD ANALYSIS (JHA)/RISK ASSESSMENT (RA)**

A completed Job Hazard Analysis is required for:

- Jobs or work practices that have potential hazards.
- New, non-routine, or hazardous tasks to be performed where potential hazards exist.
- Jobs that may require the employee to use non-standard personal protective equipment (PPE).
- Changes in equipment, work environment, conditions, policies, or materials.

It is required that supervisors and appropriate line managers ensure that established JHAs are reviewed and signed prior to any non-routine task or at the beginning of the fire season.

Alternatively, a blank JHA can be completed and used on site for risk assessments not pre-identified as mentioned above.

## **EMERGENCY MEDICAL PLANNING AND SERVICES**

### **FUELS REDUCTION WORK AND INCIDENT EMERGENCY MANAGEMENT PLANNING**

To achieve successful medical response for incident and fuels reduction work emergencies, agency administrators will take the steps necessary to ensure supervisors communicate an emergency response plan prior to engaging personnel in hazardous operations. Refer to 2022 IRPG pg. 2 to plan for emergencies. For the IRPG see <https://ffsl.link/nwgc-irpg> - for QR code see 4.1 on page 175. Coordinate an effective response plan that considers on-scene 1st aid provider capabilities and equipment, emergency transportation options, time required to get injured personnel to appropriate medical care and communications capabilities. Complete a Medical Plan/ICS-206 to identify and organize EMS providers, transportation services and communications options.

### **COORDINATION WITH IMTS**

Agency administrators must coordinate with IMTs to ensure their Incident Medical Plan satisfies requirements of memo NWCG#25-2010 Dutch Creek Serious Accident Investigation Report Response including: 1) Standardized Medical Emergency Procedures, 2) Standardized Communications Center Protocols using Medical Incident Report (IRPG pg. 118-119) and 3) an ICS-206 Medical Plan with expanded block six describing on-scene EMS responders, capabilities and equipment, emergency communications protocol, air/ground transportation options and approved helispots. The form can be found <https://ffsl.link/ics-206-medical-form> - for QR code see 4.2 on page 175.

### **AIR AMBULANCE COORDINATION**

Unit and state/regional level fire program managers should ensure that procedures, processes, and/or agreements for use of local and regional air ambulance services are stated in writing and effectively coordinated between the fire programs, the dispatch/logistics centers, and the service providers. Effective May 1st, 2017 wildland fire agencies in Utah adopted VMED 28 as the primary air to ground frequency when dealing with air ambulance/air medevac operations, and VMED 29 as the secondary. Air ambulance providers who may respond to incidents in Utah have been requested to ensure these frequencies are programmed into their radios if aircraft are equipped with a VHF FM radio.

“VMED 28” = RX 155.3400MHz, TX 155.3400 MHz with TX CTCSS Tone 156.7  
Tone guard on transmit only. No tone guard on receive.

“VMED 29” = RX 155.3475MHz, TX 155.3475 MHz with TX CTCSS Tone 156.7  
Tone guard on transmit only. No tone guard on receive.

## **INCIDENT EMERGENCY MEDICAL SERVICES**

Agencies will follow the NWCG standards for Incident Medical Support issued by NWCG Memorandum EB-M-15-006 to assist wildland fire incident commanders with determining the level and number of emergency medical resources and related supplies needed based upon the number of incident personnel. This standard, as well as other incident medical information can be found on the NWCG Incident Emergency Medical Subcommittee website at: <https://ffsl.link/nwcg-med-subcommittee> - for QR code see 4.3 on page 175.

Incidents that have established Medical Units shall follow the direction outlined in the Clinical Treatment Guidelines for Wildland Fire Medical Units: <https://ffsl.link/nwcg-med-guidelines> - for QR code see 4.4 on page 175.

Home units that choose to utilize and support higher level medical responders to provide medical support for internal agency medical emergencies (beyond basic first aid/CPR) may do so, however certification and credentialing must follow respective state laws and protocols.

## **DEFINITIONS**





**SAFETY:** A measure of the degree of freedom from risk or conditions that can cause death, physical harm, or equipment or property damage.

**HAZARD:** A condition or situation that exists within the working environment capable of causing physical harm, injury, or damage.

**RISK:** The likelihood or possibility of hazardous consequences in terms of severity or probability.

**RISK MANAGEMENT:** The process whereby management decisions are made and actions taken concerning control of hazards and acceptance of remaining risk.

## CHAPTER 4 QR CODES

<p><b>4.1</b> NWCG Incident Response Pocket Guide (461)</p> 	<p><b>4.2</b> ICS 206 Medical Form</p> 
<p><b>4.3</b> NWCG Incident Emergency Medical Sub-committee</p> 	<p><b>4.4</b> NWCG Medical Unit Guidelines</p> 

## CHAPTER 5 PRE-SUPPRESSION

### READINESS REVIEWS

Fire season readiness reviews will be conducted annually prior to the beginning of the fire season as per Division of Forestry, Fire and State Lands (FFSL) policy. One area will be reviewed each year. The Areas will rotate as follows: Wasatch Front, Bear River, Central, Northeast, Southeast and Southwest. A report with findings and recommendations will be compiled for each Area. The report will be presented to the Director, Deputy Director, Area Manager, and Area FMO.

### WARDEN'S FIELD KIT

The District Fire Warden will be on-call for fire suppression assignments 24 hours a day during the closed fire season (Jun 1 –Oct. 31), unless on pre-approved leave or mandatory R&R. It is important to be prepared to carry out your duties. Not only should suppression equipment remain in a constant state of readiness, but administrative supplies should also be readily available.

The Warden's vehicle will become a mobile office to conduct daily business. The reference section provides a suggested set of items to assemble in a kit and keep available in the vehicle at all times (see page 262). This is only a suggestion; each fire warden will have a set of items unique to their area of responsibility. However, the kit should carry adequate materials to create an Incident Action Plan and support a Type 4 incident. A majority of the documents listed in the Warden's field kit are available in an electronic format or online. The district fire warden should become familiar with how to locate and retrieve the information. For complete information on the list of items and links to obtain electronic versions see the Reference section.

### FEDERAL EXCESS PERSONAL PROPERTY

#### INSPECTION/INVENTORY INSPECTIONS

Federal Excess Personal Property (FEPP) assigned to each county will be inspected by the District Fire Warden annually to assure program inventory information is accurate and program compliance. The inspection allows the district fire warden the opportunity to communicate with the custodian of the equipment and assure a good working relationship on wildfire incidents. The purpose of the inspection is to update location of the equipment, assure the custodial name, confirm the address and phone numbers are accurate for use in county mobilization plans and in the state database, and to keep a current picture on file. It also assures the equipment is in good mechanical condition and can be utilized safely in fire suppression operations. It determines whether the equipment has a valid use in the Utah wildland fire suppression program.



The completed inspection forms and pictures are to be submitted to the Area Manager/Fire Management Officer (FMO) and any deficiencies/concerns documented at that time. The Area Manager is required to ensure the annual inspections are updated in FEPMIS. If it is determined the equipment is to be reassigned, an attempt will be made to reassign within the same county or area. Written approval from the Area Manager and the county is required. FEPP equipment may NOT be sold, traded, exchanged or otherwise disposed of. This is federally owned property and must be returned when no longer of use in the fire program.

If not reassigned to the same county, the equipment will be considered for placement in another county or returned to the federal government. For fire departments participating in the Utah Wildfire Response Memorandum of Understanding (UWR-MOU) fire suppression program, the District Fire Warden will complete an inventory inspection annually for the equipment that is signed up. This will verify that the required inventory is on the apparatus and that they meet the requirements for the UWRMOU.

The Fire Department Manual & Rates is located online here:  
<https://ffsl.link/ResourcesForFireDepts> - for QR code see 5.1 on page 179.

The FEPP Desk Guide is a manual published by the USFS that defines how the FEPP program is to be implemented by the states. The FEPP Desk Guide can be found on <https://ffsl.link/EnterpriseFire> - for QR code see 5.2 on page 179. For additional information on FEPP contact FFSL's FEPP Specialist.

## **ENGINE INVENTORY**

The Utah Division of Forestry, Fire and State Lands engines will meet all National Wildfire Coordinating Group (NWCG) standards for staffing, equipment and Engine type assigned.

- See the IRPG PMS 461, page 87.
- IRPG, <https://ffsl.link/nwgc-irpg> - for QR code see 5.3 on page 179.

In addition to the basic NWCG equipment requirements a minimum recommended inventory is included in the reference section of this manual. This list will serve as a tool after each incident to determine if you have a full complement of tools and supplies on your engine. You should begin the fire season with this inventory and it should be returned at the end of the fire season; excluding expendable items used for fire suppression.

The weight of all Equipment and Personnel cannot exceed the Manufacturer's Gross Vehicle Weight (GVW) limits.




The warden or engine captain must keep an inventory of all equipment on the engine to verify inventory at check-in on incidents and keep accountability of assigned

equipment. Each vehicle is required to have two updated inventory copies. One in the Vehicle Log Book and One with the Supervisors office.

State Risk Insurance will not cover replacement of non-state property damaged within a State Vehicle.

If there are discrepancies between the items on your truck and the listed inventory, please consult with your supervisor.

## CHAPTER 5 QR CODES

<p style="text-align: center;"><b>5.1</b> Fire Department Manual &amp; Rates</p> 	<p style="text-align: center;"><b>5.2</b> FEPP Desk Guide</p> 
<p style="text-align: center;"><b>5.3</b> NWCG Incident Response Pocket Guide (461)</p> 	

## CHAPTER 6 RISK REDUCTION: PREVENTION, PREPAREDNESS & MITIGATION

### FIRE RESTRICTION/CLOSURES

#### COORDINATION

Whenever fire restrictions/closures are implemented or terminated, all land management agencies agree to coordinate their efforts at the local, regional and state level. This includes the area involved, restrictions/closures action, news media and public notification process. The Restrictions/Closures Zone Coordinator will be notified when a fire restriction/closure implementation or termination is under consideration to assist in overall coordination. This shall not limit any agency from implementing restrictions/ closures required to accomplish their management objectives. The fire restriction plan is included in the state-wide operating plan, and can be found on the Enterprise. <https://ffsl.link/EnterpriseIBM> - for QR code see 6.1 on page 201.

If considering fire restrictions/closures in your Area contact the State FMO and initiate coordination with the other cooperating agencies. There is a restrictions request form found on the Enterprise on the Fire page under the FMO and Wardens section, <https://ffsl.link/EnterpriseFire> - for QR code see 6.2 on page 201.

#### CRITERIA FOR FIRE RESTRICTION ACTIONS

The following are examples of criteria used to implement or terminate fire restrictions or closures.

- Fire Danger Adjective rating
- Planning Level
- Probability of Ignition
- National Fire Danger Rating System (NFDRS) components or combinations of components
- National Weather Service data and long-range forecast
- Live fuel moisture
- 1000 hour time lag fuel moisture
- Predicted fire behavior
- Recent fire history
- Fuel loading, condition and other local conditions
- Fire protection service capabilities including water resources
- Preparedness levels, local or national

#### BOUNDARIES

Fire Restrictions will be authorized on an area-by-area basis with all interagency partners agreeing when to implement restrictions. "Areas" are defined as the five interagency dispatch zones (also used for the interagency fuels and Wildland Urban Interface (WUI) committees). Every effort will be made to select boundaries that coin-

cide with the interagency dispatch zones. When this cannot be agreed to, boundaries will be on county lines or major roadways. Designating restricted areas by agency boundaries should be avoided. All interagency partners in an area must agree to discuss when to go into restrictions for a restriction to be implemented. Local interagency news releases and statewide interagency news releases will be used to announce restrictions.

## **RESTRICTIONS**

When fire restrictions are imposed, they will include (at a minimum) all of the following acts as prohibited on public, private, and county-owned lands when a "restriction" is ordered.

- Setting, building, maintaining, attending or using open fires of any kind, except within the facilities designated for them in improved campgrounds, picnic areas or home sites where running water is present. [Devices fueled by petroleum or Liquefied Petroleum Gas (LPG) products are allowed.]
- Smoking, except within an enclosed vehicle, trailer or building, a developed recreation site or while stopped in an area that is paved or free from dry vegetation.
- Discharging, or using any kind of fireworks, tracer ammunition or other pyrotechnic devices including exploding targets.
- Cutting, welding or grinding metal in areas of dry vegetation.
- Operating a motorcycle, chainsaw, ATV, or other small internal combustion engine without an approved and working spark arrestor.

## **IMPLEMENTING FIRE RESTRICTIONS**

Fire restrictions are authorized by the State Forester. Once an area FMO has determined, through the proper coordination, that fire restrictions will be implemented, he/she will request the restriction through the Division's fire restriction coordinator. A request must be made no later than **48 hours in advance** and must be requested using the Division's **fire restriction request form** found on the Enterprise on the Fire page under the FMO and Wardens section, <https://ffsl.link/EnterpriseFire> - for QR code see 6.2 on page 201.

Once the form is received, the order will be drafted and sent to the Area FMO for approval. Once the Area FMO has approved the draft, it will be finalized and signed by the State FMO and the State Forester. A signed copy will be sent to the Area FMO and posted on <https://utahfireinfo.gov> - for QR code see 6.3 on page 201.

To request that a fire restriction order be rescinded, the Division's fire restriction form must also be used.

## **EXCEPTIONS TO RESTRICTIONS**

All other necessary exemptions to the restrictions will be handled through local "permits" issued by the responsible agency(ies) for that purpose.

Exceptions to fire restrictions are generally discouraged, however, when necessary a waiver can be issued for specific activities. The Division has a combined burn permit restriction waiver to use in permitting exceptions to the restriction. A copy of the form can be seen in the reference section on page 266.

## **ADVANCED FIRE RESTRICTIONS**

It may be necessary to impose an “Advanced Fire Restriction.” Advanced Restrictions will be authorized at the State level and may restrict additional activities or include the complete ban of fires with the exception of devices fueled by petroleum or other LPG products.

## **RECOMMENDED FIRE PIT STANDARD GUIDELINES**

As required by the Utah Wildland Urban Interface Code, **A104.7.1** General. No person shall build, ignite or maintain any outdoor fire of any kind for any purpose in or on any urban wildland interface area, except by the authority of a written permit from the code official. **Exception:** Outdoor fires within inhabited premises or designated campsites where such fires are in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9.1 m) from any combustible material or non-fire resistive vegetation.

**A104.7.2 Permits.** Permits shall incorporate such terms and conditions that will reasonable safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or on hazardous fire areas under the following conditions:

- when high winds are blowing,
- when a person 17 years or older is not present at all times to watch and tend such a fire, and
- when a public announcement is made that open burning is prohibited.

## **GENERAL GUIDELINES FOR OUTDOOR FIRE PITS**

- Clear the area of all combustible materials and vegetation for at least three times the diameter of the fire pit diameter.
- The apron around the fire pit can be constructed of brick, rock, or concrete, however caution should be used when using concrete, it may explode and cause flying debris, and the same can also happen with certain types of rocks, this may cause injuries from flying debris.
- The interior wall of the fire pit can be metal, rock or brick, (again concrete should be avoided if possible). Sand expansion joints should be used to facilitate heat transfer.
- The depth of the fire pit should be at least 18” deep. All roots and other combustible materials will need to be removed from underground and the sides for at least 1 foot wider and deeper than the fire ring.
- Gravel or aggregate should be placed in the bottom at least 2” to 6” deep.

- A screen or grate is also recommended to cover the top of the fire pit to help reduce the possibility of sparks or embers.
- \*Again these are only recommended guidelines, check with the Local/County Code Official and/or the authority having jurisdiction prior to constructing any fire pit, for specific standards for the area.\*

## **PREVENTION**

### **WILDFIRE PREVENTION: FIRE SENSE & SMOKEY BEAR**

Staff should be engaged on a local level to promote wildfire prevention. "Fire Sense" is the interagency wildfire prevention campaign. The website is <https://utahfiresense.org/> - for QR code see 6.4 on page 201. The Fire Sense toolkit is available for all staff to use in prevention efforts and it can be found here <https://ffsl.link/FireSenseToolkit> - for QR code see 6.5 on page 201. The password for toolkit is preventwildfires .

Smokey Bear has been an iconic prevention symbol since 1944. Agencies continue to share his "Only You Can Prevent Wildfires" message everywhere. If you are asked about a Smokey Bear appearance, the Division has a Smokey Bear costume available, or one may be obtained from another agency. To use the Division's Smokey Bear costume contact the State Prevention Coordinator. If you will be using or portraying Smokey, please become familiar with the protocols for his use here: <https://ffsl.link/SmokeyBearGuidelines> - for QR code see 6.6 on page 201.

For further information on any of the programs or resources contact the State Prevention Coordinator.

### **FIRE INFORMATION & PREVENTION RESOURCES**

- Utah Fire restriction, prevention, and wildfire incident information: <https://www.utahfireinfo.gov/> - for QR code see 6.3 on page 201.
- Inciweb National Wildfire Incident Information <https://inciweb.nwcg.gov/> - for QR code see 6.7 on page 201.
- NIFC National Wildfire Incident Information: [https://www.nifc.gov/fireInfo/fireInfo\\_main.html](https://www.nifc.gov/fireInfo/fireInfo_main.html) - for QR code see 6.8 on page 201.
- National Fire Prevention Resources: [https://www.nifc.gov/prevEdu/prevEdu\\_main.html](https://www.nifc.gov/prevEdu/prevEdu_main.html) - for QR code see 6.9 on page 202.
- Follow Utahfireinfo on Facebook and Twitter @UtahWildfire, Instagram

## PREPAREDNESS PROGRAMS & RESOURCES

The following preparedness programs are supported by the Division and employees are responsible to promote them throughout the state. For further information on any of the programs or resources contact the Statewide WUI Coordinator.

### **UTAH WRAP (UTAH WILDFIRE RISK ASSESSMENT PORTAL):**

<https://wildfirerisk.utah.gov/> - for QR code see 6.10 on page 202.

The new Utah Wildfire Risk Assessment Portal (UWRAP) has officially been launched and is the primary mechanism for the Division of Forestry, Fire and State Lands to deploy wildfire risk information and create awareness about wildfire issues across the state. It consists of a suite of six applications tailored to support specific workflow and information requirements for the public, local community groups, private landowners, government officials, hazard-mitigation planners, and wildland fire managers. Collectively these applications provide the baseline information needed to support mitigation and prevention efforts across the state.

The portal provides access to wildland fire risk assessment data finalized in 2023 in collaboration with local, state, and federal governments as well as the private sector.

### **UTAH WILDFIRE RISK ASSESSMENT**

The purpose of the Utah Wildfire Hazard Assessment is to provide foundational information about wildfire hazard across all land ownerships within the state of Utah. The foundation of any wildfire assessment is the wildfire hazard data used to characterize fire behavior on the landscape. To manage wildfire in Utah, it is essential that accurate and high-resolution wildfire hazard data, to the greatest degree possible, is available to drive fire management strategies. These hazard outputs can be used to inform the planning, prioritization, and implementation of prevention and mitigation activities such as prescribed fire and mechanical fuel treatments. In addition, the hazard data can be used to support fire operations and aid in decision-making for the allocation and positioning of firefighting resources.

In the quantitative framework for assessing wildfire risk to highly valued resources and assets (Scott et al. 2013), wildfire hazard is defined as a physical situation with the potential for causing damage to vulnerable resources or assets. Wildfire hazard is measured by two main factors in this risk assessment framework: 1) burn probability (or likelihood of burning), and 2) fire intensity (measured as flame length, fireline intensity, or other similar measures)."

The UWRAP and specifically the associated data sets are also being used to support the Cooperative Wildfire System. The "Fire Risk Index" data set has been reclassified from a 9 categorical distribution down to 3 and re-titled, Low, Medium and High. The Medium and High categories were then assigned a dollar value and each participat-



ing entity (County, Municipality or Fire District) was assessed based upon the number of acres at risk within their jurisdiction. (For more information see the fire administrative rules section of this manual on page 53.)

Detailed information about the Utah wildfire risk assessment model and source data is found in the following reports:

- [Fuelscape Report](#)
- [Wildfire Hazard Report](#)

### **Key Points To Remember:**

- UWRAP is a geo-spatial model. A model is a simplification of a complex situation and helps to form decision making in effective and efficient use of resources. Like all models its outputs are limited to its inputs. Therefore, remember that as a model it will never be as precise as ground truthed observation. The intent is to use the model to help “point the boat” in the right direction and assist with decision making.
- The spatial resolution of the analysis is 30 meters: This means that the analysis cannot be refined past a 30 by 30 meter pixel.
- This is a key point to remember when overlaying any of the data over aerial imagery that tends to be of a higher spatial resolution.
  - » “Fire Threat” data set represents the likelihood of any given pixel to burn.
  - » “Fire Effects” data set represents the values at risk if a fire were to occur.
  - » “Fire Risk Index” is the combination of the threat and effects layers.
  - » Professional viewer vs Public
- The “Professional” viewer requires a user to register and login. Users can generate a full report of each data layer, import/export geometry, create “Areas of Interest”, manage “Focus Areas” and access all data layers associated with the analysis.
- The “Public” viewer does not require a login. However analytical data layers are limited to just “Effects”, “Threat” and “Fire Risk Index”. Users can generate a report but it is limited in scope at only 4 pgs. This is done to prevent misunderstanding of more complex data associated with the “Professional” viewer. No import or export of data is possible.

Additional questions regarding the UWRAP can be directed to the Statewide WUI Coordinator, or to the GIS/IT Manager.

### **COMMUNITIES AT RISK**

Communities At Risk (CARs) list was developed cooperatively at the local and state level to assist land management agencies and other stakeholders in determining the scope of the wildland urban interface challenge and to monitor progress in mitigating the hazards in these areas. The list includes the community name and categories of risk (fire occurrence, fuel hazard, values protected, and protection capabilities).

Note: In 2024 the CARS will be reassessed and include a structure hazard category.

The categories of risk are given a numeric value for low risk, moderate, high and extreme. The CARs list is updated yearly through the Interagency Fuels/WUI Regional Committees and can be found on our website at <https://forestry.utah.gov> - see QR code 6.11 on page 202.

## **COMMUNITY WILDFIRE PREPAREDNESS PLANS**

Community Wildfire Preparedness Plans (CWPPs) empower communities to organize, plan and take action on issues impacting community safety. This includes enhancing wildfire resistance and community protection, recognizing the risks of wildland/urban interface fires and identifying objectives and strategies to reduce the risks to homes and businesses in the community. Division personnel and Fire Wardens should be active participants and provide technical advice in the CWPP process within their respective areas and counties. After CWPP completion, further assistance may include securing funding, planning and implementation of fuels treatment projects and programs in conjunction with the community fire council. A completed CWPP is a requirement of several federal mitigation grant programs, and ideally a CWPP should be updated at least every 5 years. The Division template can be found at: <https://ffsl.link/FireCWPP> - for QR code see 6.12 on page 202.

## **READY, SET, GO!**

Ready, Set, Go! is a national program sponsored by the International Association of Fire Chiefs. The goal is for local fire departments to deliver messages of being READY with wildfire preparedness, to be SET with situational awareness when fire threatens, and to GO by evacuating early when a fire starts. Delivery is intended to be door-to-door, utilizing fire personnel to distribute program materials and encourage/plan citizen involvement. This is a critical education/outreach opportunity since homeowners have a profound respect and appreciation for their local firefighters. Membership is completely free and provides access to dozens of valuable outreach materials that can be customized for local departments. Division employees should act in a technical/advisory role in conjunction with local agencies in the delivery of this program. Sign-up and start the success at: <https://www.wildlandfirersg.org/> - for QR code see 6.13 on page 202.

## **FIREWISE USA®**

Firewise USA® is a national program managed by the National Fire Protection Association (NFPA). This program is designed to give recognition to communities that have:

1. obtained a community wildfire risk assessment
2. completed a CWPP - forming a board or committee
3. conducted an annual Firewise Day and invested a minimum of \$2.00 per capita in local Firewise actions
4. submit the application.

It's important to note that once a community is recognized, they have to renew annually online to maintain status. Division personnel should encourage any community that fits the criteria above to apply for Firewise recognition. Firewise Communities USA is a tremendous accomplishment to achieve, but it also is paramount in continuing education on the latest preparedness research and materials. Check out: <https://firewise.org> - for QR code see 6.14 on page 202.

## **FIRE ADAPTED COMMUNITIES**

Fire Adapted Communities is the concept that communities are knowledgeable and engaged participants in fortifying infrastructures and landscapes that reduce the need for extensive protection actions and enable the community to safely accept fire as part of the surrounding landscape. It is reached by building a foundation using the above programs. More information can be found at <https://fireadapted.org/> - for QR code see 6.15 on page 202. Division employees are encouraged to become an affiliate member of the Fire Adapted Communities Learning Network to keep updated on the issues that impact our involvement with the communities in Utah at <https://fireadaptednetwork.org/> - for QR code see 6.16 on page 202.

## **WILDFIRE MITIGATION EDUCATION TRAILER**

The Wildfire Mitigation Education Trailer is designed to be used for indoor/outdoor events and is an excellent platform for the distribution of materials. There are brochures and pamphlets stocked in the trailer. A nearby power source is necessary for the trailer to operate. It is housed in the Salt Lake/Clearfield Warehouse. To schedule the trailer, contact your area WUI staff that has access to the google calendar. Utilizing the trailer will help Division personnel take an active role in wildland fire preparedness in their counties and areas.

## **HAZARDOUS FUELS/MITIGATION WORK**

Fuel reduction projects are a significant part of the Division's work with communities and cooperators. These projects may be on federal, state or private lands. Typically, the removal or modification of fuels on private lands occurs only after five basic steps:

1. Completion of a Community Wildfire Preparedness Plan (CWPP)
2. Acquisition of grant funding for identified projects - collaborate with Area WUI Coordinators
3. Development of scope of work
4. Signed permission forms from involved landowners
5. Cultural/archaeological clearances obtained

The completion of fuels work can be accomplished through the utilization of state/county resources, local contractors or inter-agency MOUs. Fuels reduction projects may utilize the full range of methods to achieve the desired outcomes of a project, including hand removal with chainsaws, herbicide application, burning, or mastic-

tion. Chainsaw operation and burning activities will be accomplished using established standard operating procedures. Herbicide use will follow safety measures and protocols defined by herbicide applicator licensure and the manufacturer's label instructions. Mastication will be employed with the protocols that follow.

## **LONE PEAK CONSERVATION CENTER (LPCC) RESOURCES**

When not assigned in the National Mobilization System, LPCC resources are available for natural resource management projects. LPCC provides qualified crews of 5-20+ individuals. Crews are equipped with and qualified to use power saws, a variety of hand and power tools and LPCC chippers. Contact LPCC Operations to arrange assistance with natural resource and fuels mitigation projects.

- LPCC will provide basic equipment, saws, pole pruners, brush cutters, chippers and Personal Protective Equipment (PPE). LPCC staff will coordinate actions with a designated Area representative.
- The Area will provide a scope of work defining objectives and timeframe which may include photos, maps and emergency contact information. The Area will provide logistical information for the crew supervisor to aid with water needs, trash removal options, human service needs and any other project specific items.
- LPCC staff will complete crew time reports (CTR) that must be signed by the Area to verify hours worked. Travel will be itemized to assist the Area in requesting reimbursement from the travel fund. LPCC will provide cost estimates and completion data or photos, if requested, to the Area within thirty days of completion of work.
- LPCC will charge for equipment rehab with a maximum of ½ hour of crew time daily.
- Travel time will be billed to the project UNLESS otherwise determined by LPCC.
- Crews will be used as a labor workforce. Specific timeframes and use parameters for each crew will be established in advance of the expected project start date to alleviate confusion or scheduling conflicts.
- The Area will complete a final closeout with the crew supervisor to review work for quality and completeness, as well as approve time documents. The Area must present any dispute action at that time or the project will be considered completed to all previously established standards and budget constraints.

Any issues unresolved in the field can be directed to the LPCC Operations Coordinator for discussion within 45 days of project completion.

## **MASTICATION EQUIPMENT**

The Division has purchased and/or manages several chippers, tractors, and masticating heads to dispose of wildland vegetation and hazardous fuels. This equipment can be extremely dangerous. If not used properly these machines can cause serious injury or death. Improper operation can also result in costly damage to equipment. Therefore, FFSL has decided that only properly trained employees of the Division may operate the equipment. On rare occasions, volunteers who have signed up with the Division may also operate the chippers. However, before operating any equipment, volunteers must attend the same annual training as Division employees and be signed off prior

to operation. Volunteers will also be required to complete and sign a liability waiver before working for the Division.

## **CHIPPERS**

Prior to operating the chippers each person must participate in the following training annually.

- Video training: Vermeer (or manufacturer's) Brush Chipper Operations & Safety Training
- Video training: Vermeer (or manufacturer's) Knife/Drum Maintenance
- Receive copy of the operator's manual
- Understand and explain the following:
  - » Safety decals
  - » Symbol identification
  - » Controls
  - » Safe starting procedures
  - » Shutdown procedures
  - » Transporting procedures
  - » Chipping brush
  - » Winch operations (if applicable)

Each operator will be required to complete an on-site review of each system, and a copy of the review will be maintained in each employee file. On-site review shall be an annual event, prior to operating.

Prior to operating a chipper, the operator and all team members will review the appropriate Job Hazard Analysis (JHA) forms and conduct "tailgate" safety meetings daily. This will help ensure that clear and proper communication between team members takes place during chipper operations.

Ensure that sufficient tools/parts/fluids for repair and replacement are appropriate for the machine that is being operated. These tools/parts/fluids need to be readily accessible in the area of operation. It is important to replace worn parts/ top off fluid reservoirs for safe and efficient operation.

### **Prior to Operating the Chippers, Operator Will Complete the Following Daily:**

#### ***Engine and Drivetrain***

- Check battery electrolyte level and cable conditions
- Check air cleaner condition
- Check engine oil level
- Check coolant level
- Check radiator for debris

#### ***Hydraulics***

- Check hydraulic fluid level
- Check hydraulic components for leaks or damage
- Check hydraulic control for proper function

### **General**

- Check the drive belts for damage and proper tension
- Check all shields
- Check and lubricate all fittings
- Check the wheel lug nuts
- Check tires for proper air pressure
- Check tracks for proper fit
- Check operation of the taillights when chipper or trailer is attached to a vehicle
- Check for debris buildup along the chipper frame, radiator, exhaust & valve covers.  
Extremely important - Debris buildup may cause overheating or a fire hazard.
- Check the condition of teeth and bolt tightness
- Check all bolts after every 40 hours of operation

### **All Persons Working in and Around the Chipper Will Wear the Following PPE:**

- Hard hat
- Safety glasses or goggles
- Hearing protection
- Work boots
- Gloves (tight fitting)
- Respirator/mask in dusty conditions
- Long sleeve shirt
- Work pants in good condition

Avoid wearing jewelry such as rings, wrist watches, necklaces or bracelets. Long hair should be confined, and any loose-fitting clothing removed or secured prior to chipper/Bull Hog use.

### **TRACTORS AND BULL HOGS**

Though most of the above information relates to chipper operation, the same principles and practices shall be followed during the operation of a tractor or Bull Hog unit. This type of mastication equipment presents a unique set of safety issues that must be addressed prior to its operation. Safe operation includes consideration of the following:

- Pre-operation walk-through
- Safety zone in relationship to equipment operation
- Uneven ground operation
- Use and location of spotters
- Operation in and around structures
- Restriction of public within area of operation
- Ground/soil disturbance
- Operator communication
- Reference accepted JHA form for the safe operation of mastication units

### **REFERENCE**

UCA 65A-8-211: Closed fire season — Notice violations — Burning permits — Personal liability — Exemptions from burning permits

UCA 76-6-104 Reckless burning  
R652-120-500 Burning permits  
R307-202-4 General prohibitions  
R307-202-6 Permissible burning – without permit  
R307-202-8 Special conditions  
R307-204 Emission standards: Smoke management  
FFL-04-B-11 Prescribed fire plans and prescriptions

## **BURNING PERMITS**

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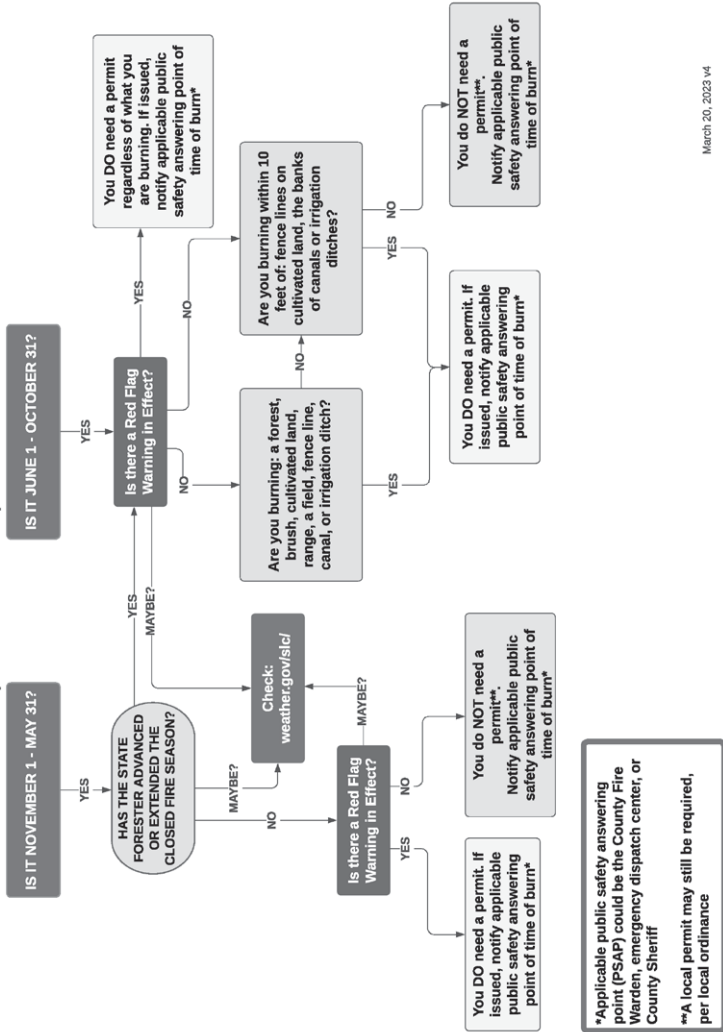
The Division of Forestry, Fire and State Lands (FFSL) has the authority to issue burning permits on all non-federal forest, range and watershed lands. Burning permits are issued in compliance with all state and local ordinances and regulations.

### **BURNING PERMIT ISSUANCE GUIDELINES**

The issuance of a burning permit is an important responsibility of the fire warden. The primary purpose of a burning permit is to assure that during the closed fire season (June 1 to October 31 or as extended by the State Forester) open burning is done safely. Open burning should adhere to all existing laws and should be limited to accomplishing the resource objective for which it is being conducted. A burning permit does not relieve any individual from personal liability. FFSL has no authority to require burn permits unless we have fire restrictions in place for burns involving the burning of fence lines, canals, and irrigation ditches, on cultivated lands if the burning does not pose a threat to forest, range, or watershed lands.

Generally, burning permits are issued for small (de minimis) debris piles. Additionally, the individual must notify the Public Safety Answering Point of the time burning will occur. (A burning permit and written prescribed fire plan in accordance with the Utah Smoke Management Plan are also required for any prescribed fire for state or private lands greater than 20 acres or 30,000 cubic feet of piles per day.)

## Ag Burning and Permit Process for State and private unincorporated land





There are a number of factors to consider in issuing a burning permit, including the following:

- Burning permit should provide a legal description of the location of the burn and the acreage involved.
- The burning permit shall provide the type of burn and the purpose of the burn.
- The burning permit will indicate the conditions under which the burn is allowed. This shall include a range for wind speed and direction, temperature, relative humidity and a smoke management strategy.
- The burning permit shall indicate burning only within the provisions of the state-wide clearing index for atmospheric dispersion. This requires that a clearing index of at least 500 must exist at the burn location before burning can occur.
- A burning permit will indicate the time period that the permit is valid. It is recommended this time period be no longer than 5 to 7 days as conditions can change significantly in a relatively short time. When a burning permit is issued for an extended period of time (greater than 3 days), a condition of the permit will be to call the issuing officer daily for clearance to burn that day.
- A burning permit shall indicate the holding force (number of trained and experienced personnel) required to maintain a safe operation. This should include the number and type of resources (engines, water tenders, dozers or other equipment).
- Burning permits will have the information on the permittee filled out completely including name, address and phone number.
- A burning permit will be signed by the fire warden or other issuing officer, by the permittee and dated.
- A completed copy of each burning permit issued will be distributed as indicated at the bottom of the permit. It is recommended that Area fire staff be notified of individuals that have been issued burn permits.
- Generally, the Fire Warden will not issue a burning permit during periods of high to extreme fire danger. No burning permits should be issued during times when fire restrictions are in place. No burning permits will be issued when the fire weather forecast includes a Fire Weather Watch or Red Flag Warning. The Fire Warden or other authorized personnel are responsible for keeping up with fire danger conditions through dispatch. A burn permit will indicate if the burn can be conducted during periods of high or extreme fire danger.
- No burning permits will be issued during a declared air pollution situation by the Utah Air Quality Board or its representative. The fire warden or other authorized personnel are responsible for monitoring air quality conditions through dispatch or the county health department. All burning permits shall indicate that burning is not permitted if a clearing index of less than 500 is reported or declared.
- The fire warden or other authorized personnel are responsible for reviewing with the permittee all the conditions of a burning permit, including the right to refuse,

revoke, or postpone a permit. Personal liability provisions on the back of the permit should also be reviewed.

- The fire warden or other authorized personnel are responsible for notifying our cooperators that a burning permit has been issued and requires the fire warden to provide information on the location and dates of the permit.

## **AIR QUALITY**

The Utah Air Conservation Act and regulations is the primary state ordinance which affects the issuance of burning permits. The following are sections of these ordinances and regulations which affect our actions in relation to burn permits.

- Section 19-2-114 of the Utah Air Conservation Act identifies burning activities not restricted by the act.

The following are not a violation of this chapter or of any rules made under it:

- burning incident to horticultural or agricultural operations of:
  - » prunings from trees, bushes, and plants; or
  - » dead or diseased trees, bushes, and plants, including stubble;
- burning of weed growth along ditch banks, incident to clearing these ditches for irrigation purposes;
- controlled heating of orchards or other crops to lessen the chances of their being frozen so long as the emissions from this heating do not violate minimum standards set by the board; and
- controlled burning of not more than two structures per year by an organized and operating fire department for the purpose of training fire service personnel when the United States Weather Service clearing index is above 500.

## **AIR CONSERVATION REGULATIONS**

The Air Quality Committee has adopted rule R307 to deal with all aspects of air quality and pollution. R307 addresses all aspects of air quality and air pollution. Portions of R307 are applicable to the issuance of burning permits. These sections are included in the Rules section of this manual. You can access a complete list of administrative rules online at: <https://ffsl.link/UtAdminRules> - for QR code see 6.17 on page 203. You will have to then search for R307. Contact your Area Manager or Fire Management Officer for additional information.

## **SMOKE MANAGEMENT**

The Utah Smoke Management Plan (SMP) identifies the responsibilities of the Utah Division of Air Quality (DAQ) and federal, and state land managers to coordinate procedures that mitigate the impacts of prescribed fire and wildland fire used for resource benefits on public health, public safety and visibility. This plan is designed to meet the requirements of Title R307, Utah's air quality rules, and the policies of

the U.S. Environmental Protection Agency's interim air quality policy on Wildland and Prescribed Fires (Interim Policy). For a copy of the Utah Smoke Management Plan and the associated forms contact your Area Manager or download a copy at: <https://smokemgt.utah.gov/> under Policy - for QR code see 6.18 on page 203 or <https://gacc.nifc.gov/gbcc/smoke.php> - for QR code see 6.19 on page 203.

The SMP for prescribed fire and wildland fire has been developed by the DAQ, federal land management agencies and the Division. The purpose of this plan is to allow for the use of management ignited fire consistent with public health and safety, air quality, and interstate airshed commitments. The intent is to limit smoke emission impacts on the public through timing and coordination. The specific requirements of the SMP will evolve with time to ensure the objectives of the plan are met. Prescribed Fire Plans developed by the Division will meet the requirements of this plan.

The SMP applies to prescribed fire use by land managers and also landowners who use prescribed fire on lands where the Department of Natural Resources (DNR) provides fire protection during the June-October fire season. Landowners who use prescribed fire that covers less than 20 acres must obtain a permit through FFSL. The plan does not apply to agricultural outdoor burning and open burning as defined by Utah Code 19-2-114.

The Smoke Management Plan requires the registration of all prescribed fires over 20 acres per day and pile burns with 30,000 or more cubic feet of material per day. Depending on location, acres to be burned, emission released and proximity to specific receptors, additional information may be required to ascertain the burn's impact.

Every management ignited fire 20 acres or larger per day, and pile burns with 30,000 or more cubic feet of material per day, will require a written prescribed fire plan in accordance with the Utah Smoke Management Plan. Prescribed fire plans will document conditions under which the burn can be executed and meet guidelines/criteria of Utah's Smoke Management Plan. To calculate the amount of particulate emissions produced refer to the Daily Emissions Report (SMP Form 5).

## **PRESCRIBED FIRE**

### **PRESCRIBED FIRE REQUESTS**

Fire Wardens will attempt to satisfy requests for assistance with prescribed fires on private and state lands. A burning permit may be sufficient for many of these types of burns if during the closed fire season. When Division personnel are involved in conducting burning, the burn will have a burn plan developed as required by Division policy. (FFL-04-B-11 on page 118)

In the event requests for advice or assistance become too numerous to satisfy, a priority of requests will be established as follows:

- Prescribed burns which are included or planned as part of a hazardous fuels mitigation plan, resource-management plan, ranch or farm plan will receive highest priority. Such a plan will be documented.
- Burns which are planned for a specific purpose or with an objective of continued management treatment are of the next highest priority. Such burns include site preparation for seeding and vegetation eradication to convert wildlands to agriculture or grazing lands.
- The lowest priority will be assigned to burns for which no post-burn treatment is anticipated. Post-burn treatment might include seeding or grazing deferment.

If a situation occurs where several requests for assistance on private land have the same priority, local Soil Conservation Districts will be consulted to establish a priority for handling of requests. Division personnel will resolve requests with the same priority on state lands, based on resource management needs.

When conducting prescribed fire on behalf of private land owners, liability should be addressed in the burn plan. Landowner permission and liability release forms have been developed by the AG for this purpose. Burn Plans that have private land involvement must have liability forms signed before requesting State Office approval.

The fire warden should attempt to meet requests for assistance on fires which are small in size (10 acres or less), have low to moderate volumes of fuel present, and do not entail hazardous conditions. Prescribed burns which exceed these conditions will be deferred to their supervisor.

The use of fire as a management tool is allowed through a Memorandum of Understanding (MOU) with the DAQ. This MOU recognizes our expertise and authority on state and private lands. The agreement requires the Division to produce a written plan for any prescribed burn larger than twenty (20) acres per day or 30,000 cubic feet of pile material per day. If the prescribed burn involves division assistance to private landowners limited to holding functions, the plan should include date, size, location, type of burn, fuel load and the purpose of the burn. The plan should detail smoke management techniques, such as avoidance strategy, dilution and emission reduction procedures. If the prescribed burn involves state lands or landowner assistance not limited to holding functions, the burn plan must meet NWCG Standards as outlined in (FFL-04-B-11). No prescribed burns will be allowed during air pollution episodes declared by the Utah Air Quality Board.

The landowner or agency requesting assistance on a prescribed burn will supply personnel and equipment specified by the burn plan.

Federal Excess Personal Property equipment located in any county for fire protection purposes cannot be required to attend a prescribed burn. The decision to commit

equipment must be left to the agency or fire department to which the equipment is assigned.

Assistance provided by qualified Division personnel may include attending the fire to provide supervision and control assistance, and to ensure the burn is conducted according to prescription and in a safe manner.

For all prescribed burns other than those involving private landowner assistance limited to holding functions as described above, a plan will be written by a National Wildfire Coordinating Group qualified burn boss appropriate to the complexity of the burn. The plan will follow the format outlined by Division policy (FFL-04-B-11 on page 118).

Qualified Division personnel will take the lead in planning and supervision for prescribed fires planned on lands administered by the Division. Prescribed burns planned on Division lands will be completed in cooperation with other state and federal agencies, and lessees. All necessary cultural resource clearances will be obtained. Input from other agencies will be incorporated into burn plans to the extent practicable.

## **PRESCRIBED FIRE REQUIREMENTS ANNUAL BURN SCHEDULE (SMP Form 2)**

Land managers who burn more than 50 acres per year are required to submit to the Smoke Program Coordinator a schedule of prescribed fires that are to be completed that calendar year by March 15th.

### **MANAGERS WILL PROVIDE THE FOLLOWING INFORMATION**

- Project number
- Project name
- Air quality basin
- County
- Location
- De minimis category
- Total project acres
- Project elevation
- Fuel model
- Type of burn
- Earliest burn date
- Burn duration
- Ignition method

### **PRE-BURN INFORMATION (SMP Form 3)**

Land managers are required to submit the pre-burn information in addition to the agency burn plan to the Smoke Management Coordinator two weeks before the beginning of the ignition window. The pre-burn information covers the following information.

- The three-letter ID
- Project number
- Date submitted
- Name of person submitting the form
- Burn Manager and phone numbers
- Summary of burn objectives
- Class I or Nonattainment Area within 15 miles
- Sensitive receptors and distance/degrees from project site
- Planned mitigation methods (avoidance, dilution, emission reduction)
- Smoke dispersion model used
- Estimated range of total particulate matter anticipated
- Optional information on loading and fuel moisture available

### **BURN REQUEST (SMP Form 4)**

Land managers are required to submit A Burn Request to the Smoke Management Coordinator for approval by 1000 hours two business days before the beginning of the planned ignition. Burn requests will include the following information.

- An ID number
- The date submitted and by whom
- The burn manager conducting the burn and phone numbers The Smoke Management Coordinator will issue a decision (approving, conditionally approving, or denying burning) by 1600 hours two business days prior to the beginning of the planned ignition. Burn approval can be rescinded at any time.

### **EMISSION REDUCTION & DISPERSION TECHNIQUES**

Each land manager conducting prescribed fires will implement as many emission reduction and dispersion techniques as feasible for individual prescribed fires. The following emission reduction and dispersion techniques may be considered best smoke management practices.

- Reducing biomass by use of techniques such as yarding or consolidation of un-merchantable material, multi-product timber sales or public firewood access, when economically or practically feasible, and providing information to the public on the adverse impacts of using green or wet wood as fuel.
- Burning in seasons characterized by meteorological conditions that allow for good smoke dispersion.
- Using mass ignition techniques such as aerial ignition by helicopter to produce high intensity fires with short duration impacts.

- Igniting burns under good-to-excellent ventilation conditions and suspending operations under poor smoke dispersion conditions.
- Considering smoke impacts and residual smoke on activities conducted by local communities and land users.
- Burning only those wildland fuels essential to meet management objectives.
- Minimizing duff consumption, smoldering, and large wildland fuel consumption through wildland fuel moisture considerations.
- Minimizing dirt content when slash piles are constructed by using brush blades on material-moving equipment and by constructing piles under dry soil conditions or by using hand piling methods.
- Burning piles when other burns are not feasible, such as when snow or rain is present.
- Using opportunities that meet the burn prescription at all burn locations to spread smoke impacts over a broader time period and geographic area to minimize smoke impacts to protect public health, public safety and visibility.
- Burning during optimum periods to prevent trapping smoke in inversions or diurnal wind flow patterns.
- Consolidating burning material to enhance wildland fuel consumption and to minimize smoke production.
- Implementing maintenance burning in a periodic rotation mimicking natural fire cycles to reduce excessive wildland fuel accumulations and subsequent excessive smoke production through smoldering or wildfire.
- Managing smoke impacts by:
  - » minimizing smoke impacts to roads, highways, and airports to the amounts, frequencies, and durations consistent with any guidance provided by highway and airport personnel; and
  - » minimizing smoke impacts to Class I Airsheds, areas that are non-attainment for particulate, carbon monoxide nonattainment areas, or other smoke sensitive receptors.

### **DAILY EMISSION REPORT (SMP Form 5)**

Land managers are required to submit a daily emission report by 0800 hours each day of significant prescribed fire activity. The report will cover the following information.

- The three-letter ID and project number consistent with SMP Form 2
- Date submitted and by whom
- Burn start date and end date with time
- Emission information (black acres, tons fuel consumed per acre, tons particulate matter produced)
- Public interest regarding smoke
- Daytime ventilation
- Nighttime smoke behavior
- Smoke management prescription or WFIP/Resource Benefit Fire Plan met

- Emission reduction techniques applied
- Optional – dead and live fuel moisture information with average depth of fuels

## **SURVEILLANCE/ENFORCEMENT**

Land managers conducting a prescribed fire will permit DAQ staff to enter and inspect burn sites before, during and after burns, to verify the accuracy of the permit or burn plan information and compliance with the burn plan, if appropriate.

## **MONITORING**

Land managers will monitor effects of the prescribed fire on smoke sensitive receptors, and visibility in Class I Areas. Visual monitoring and documentation of the direction of the smoke plume may be performed using the Hourly Plume Observation Record (SMP Form 6).

- Copies of Prescribed Fire Plans will be provided to the private landowners, other agencies with involved lands, Smoke Plan Coordinator, Division of Air Quality, local Interagency Fire Dispatch Centers, and the Division's Area Fire Management Officer, and State Deputy Fire Management Officer - Fuels.

## **DE *MINIMIS* BURNING**

The Division has established a protocol for de minimis burning when a formal burn plan is not required by the Division of Air Quality or by the Division itself due to limited involvement in assistance to private landowner burning to holding functions or technical assistance. All other prescribed burns must be covered under an approved NWCG burn plan as described in (FFL-04-B-11). Each area should develop programmatic burn plans meeting current NWCG standards that cover these small types of low complexity burns regardless of private/state ownership and involvement. It should be noted that likely DAQ rule changes will remove "de minimis" as a category in the near future.

Each de minimis burn event described above not needing a full NWCG burn plan will have at minimum a completed checklist prior to the initiation of any ignition. The form includes briefing, forecasts, indices, smoke management forms, notifications and is completed with a signature. The Checklist can be found in the Reference Section on page 263 or on the FFSL Enterprise Forms page under the Fire section <https://ffsl.link/EnterpriseForms> - for QR code see 6.20 on page 203.



## CHAPTER 6 QR CODES

<p><b>6.1</b> State Operating Plan</p> 	<p><b>6.2</b> FFSL Enterprise Fire</p> 
<p><b>6.3</b> utahfireinfo.gov</p> 	<p><b>6.4</b> Fire Sense</p> 
<p><b>6.5</b> Fire Sense Toolkit</p> 	<p><b>6.6</b> Smokey Guidelines</p> 
<p><b>6.7</b> Inciweb National Wildfire Incident Information</p> 	<p><b>6.8</b> NIFC National Wildfire Incident Information</p> 

<p><b>6.9</b> NIFC National Fire Prevention Resources</p> 	<p><b>6.10</b> UWRAP</p> 
<p><b>6.11</b> Communities at Risk</p> 	<p><b>6.12</b> CWPP Template</p> 
<p><b>6.13</b> Ready, Set, Go!</p> 	<p><b>6.14</b> Firewise USA</p> 
<p><b>6.15</b> Fire Adapted</p> 	<p><b>6.16</b> Fire Adapted Network</p> 

<p><b>6.17</b> Administrative Rules</p> 	<p><b>6.18</b> Smoke Management Plan (Utah Smoke Mgmt Sys)</p> 
<p><b>6.19</b> Smoke Management Plan (GBCC)</p> 	<p><b>6.20</b> FFSL Enterprise Forms</p> 

## CHAPTER 7 SUPPRESSION

### REFERENCE

- UCA 53-2a-204: Authority of governor – Federal assistance – Fraud or Willful Mis-statement in Application for Financial Assistance – Penalty.
- UCA 53-2a-205: Authority of chief executive officers of political subdivisions – Ordering evacuations
- UCA 65A-3-2: Prohibited acts on State Lands
- UCA 65A-3-3: Enforcement of laws on State Lands
- UCA 65A-3-4: Liability for causing wildland fires
- UCA 65A-8-101: Division responsibilities for fire control and preservation of forest, watershed, and other lands.
- UCA 65A-8-103: Forestry and fire control funds
- UCA 65A-8-201: Uncontrolled fire is public nuisance
- UCA 65A-8-202: Fire control – County responsibilities
- UCA 65A-8-203: Cooperative fire protection agreements with counties
- UCA 65A-8-204: Wildland fire suppression fund created
- UCA 65A-8-205: Agreements for coverage by the wildland fire suppression fund
- UCA 65A-8-206: Disbursements from the wildland fire suppression fund
- UCA 65A-8-207: Division to administer wildland fire suppression fund
- UCA 65A-8-208: Pre-suppression costs – Disbursements from fund – Credit against assessment – Limited by appropriation
- UCA 65A-8-209: Responsibilities of county sheriffs and district fire wardens in controlling fires
- UCA 65A-8-210: Fire control on state owned lands
- UCA 65A-8-211: Closed fire season
- UCA 65A-8-212: Power of state forester to close hazardous areas
- UCA 76-6-102: Arson
- UCA 76-6-103: Aggravated arson
- UCA 76-6-104: Reckless burning
- UCA 76-6-104.5: Abandoned fire
- UCA 76-6-105: Causing a catastrophe

<https://le.utah.gov/xcode/code.html> - for QR code see 7.1 on page 226.

## STANDARD OPERATING PROCEDURES

### GENERAL

It is the intent that every incident managed by the Division is done so safely and efficiently. Providing for the safety of responders and the public will be paramount when implementing plans. A standard process for determining incident complexity and assigning the appropriate management organization will be used. Incident complexity will determine the level of engagement by Division fire staff.

## DIRECTION

The following set of Standard Operating Procedures have been developed to assist Division fire staff in the evaluation and documentation of wildland fire incidents. Follow these procedures to ensure that incident complexity is monitored, that the appropriate management organization is in place to manage and meet the complexity, that key decisions are documented, and that agency administrators are properly engaged.

## FFSL FIRE SUPPRESSION STANDARD OPERATING PROCEDURES

- A written Incident Organizer will be completed on EVERY fire. The incident organizer is a convenient way to document incident complexity, mitigation measures—including measures taken to address multiple communication systems, and the rationale behind critical decisions.
- Re-evaluate incident complexity when there are significant changes in Relative Risk or Organization.
- Consider activating necessary ICS functions once Type 4 level of complexity.
- Use NWCG forms

## CRITERIA FOR UPWARD REPORTING OF LOCAL FIRES

- Fire is escaping initial attack
- Fire is 10 acres +
- Aviation resources have been ordered
- Any accident or personal injury has occurred
- Multiple Jurisdictions are involved (cost share)
- Fire is Cost Collectable
- Any assistance to incorporated jurisdiction being requested or rendered
- Fire has any political implications
- Fire attracts media attention, particularly television news
- Fire is of suspicious origin
- There are multiple fires occurring
- Assistance from another warden is requested (coordination for coverage)
- If you are not available or change in on-call status
- The Area FMO/Duty Officer will be engaged in the decision making and management of every Type 3 fire within their Area.

## UTAH SHARED STEWARDSHIP/SHARED RISK

The Shared Stewardship Agreement that is referenced in this section can be found here: <https://ffsl.link/UtahSharedStewardship> - for QR code see 7.2 on page 226.

Utah's Shared Stewardship Agreement between the State of Utah and the USDA Forest Service was signed by Governor Herbert and Secretary of Agriculture Perdue on May 22nd, 2019. According to the Agreement, "the State and the Forest Service have an unprecedented opportunity to work together to set landscape-scale priorities, implement projects at the appropriate scale, co-manage risks, share resources, and

learn from each other, while building long-term capacity to live with wildfire.” Our agreement specifically addresses working together in fire management in core element #3, using all available tools for active management, and in commitment #6, we are committed to co-managing wildfire risks and supporting each other in decisions that we have made together.

Co-managing wildfire risks means communication between Forestry, Fire and State Lands (State) and Forest Service managers and decision-makers in a much more structured and deliberate way, especially during fire season. We are committed to sharing information and decisions before, during and after fire season. Here’s what that looks like:

### **BEFORE Fire Season:**

- We will continue to plan with, prepare and train our firefighters together wherever the opportunities allow.
- We will meet on a regular basis and work together on planning and conducting local spring fire coordination and scenario meetings with other agencies and partners, holding robust gatherings to enhance our relationships and interactions, and to discuss and plan cross-boundary fire response in our toughest locations.
- We will continue to discuss the National Forest-generated Red/Green maps, which depict where fire is unwanted and will receive an aggressive initial attack response (Red areas) and other areas (Green) where, depending on conditions, lightning-caused fires may be considered to support fuel reduction and landscape scale restoration goals.

### **DURING Fire Season:**

State and Federal partners will regularly share information on all new, emerging and existing fires.

Once a wildland fire is confirmed by a qualified Incident Commander, the field fire report has been completed and called into the Interagency Fire Center (dispatch), and the Agency Having Jurisdiction Duty Officer (AHJDO) has been notified, a determination will be made on the merits of each fire and which of the three IF-THEN statements below will be followed:

1. **IF** the wildland fire is:

- Of low consequence “or” significance,
- Small in nature “or” size,
- Going to be fully contained or controlled within the first operational period;

**THEN**, the initial group text and notification calls from dispatch to all agency fire contacts for that run card zone will suffice in notifying each agency Duty Officer of the incident. If the Area Duty Officer (ADO)/Area FMO, County Fire Warden, or Forest Service DO (FSDO)/FS FMO require any further information, it is each individual’s responsibility to contact the AHJDO/AHJFMO for further details about the incident.

2. **IF** the wildland fire or some portion thereof is:
- Threatening values at risk;
  - Threatening another jurisdiction;
  - Requiring full suppression strategies but risk management dictates modified suppression tactics that are necessary for the safety of the fire responders;
  - Not suitable or safe for direct perimeter control;
  - Having the potential for a larger fire footprint, potential for longer duration, any amount of monitoring, etc.;
  - Necessitating Agency Administrators (AAs) and Duty Officers (DOs) from State and Federal agencies come together, prior to a decision being made, to discuss trade-offs and opportunities to protect responders and the shared values at risk;

**THEN**, the State and Federal AAs and DOs will discuss the rationale and incident details with their counterparts. DO/FMOs will use all of the tools available to gather the needed intelligence to support the strategy and tactics being proposed and we will decide together who will inform neighboring elected officials and other interested parties. In cases of high public interest consider the actions of category 3.

- i. In other words, if the fire is gaining or has the potential to gain wide public or media attention or if the State is receiving or likely would receive questions about it, AAs and DOs should strongly consider implementing statement 3 below.

3. **IF** the wildland fire or some portion thereof could likely be easily extinguished but could also be used to meet Land Management Plan and/or Shared Stewardship objectives, but;
- Has high potential to be controversial;
  - Is easily visible to a large population;
  - Has potential to attract the attention of elected officials even if there are no values-at-risk;
  - Could negatively impact sensitive receptors via smoke;
  - Will be a long duration event or visible for several days in a row;
  - Has any appearance to our partners, public, or politicians as “less than full suppression;”

**THEN**, the State and Federal DOs and AAs should immediately discuss the details and potential tradeoffs of the incident. At this point we will decide together who will inform neighboring and otherwise affected elected officials as well as other interested parties.

It is the responsibility of the agency responsible for the land to ensure communications with partners are occurring at the appropriate level and the right time. If there are appearances of or actual disagreements occurring regarding the management of the incident, then State and Federal leadership need to immediately become involved in the conversation.

If any wildland fire has high potential to be controversial and/or political, the Forest Fire Staff Officer or Forest Duty Officer should be in regular communication with the Forest Service Regional Office and the affected State Area Manager(s) and FMO(s). The Regional Fire Director or Deputy Fire Director will be in contact with the State of Utah FMO. Concurrently, the Forest Supervisor should contact the Deputy Regional Forester, who will discuss details with the State Forester.

### **AFTER Fire Season:**

We are committed to meeting locally (e.g., Forest/Area Office) and at the State/Regional level to evaluate how our communication process worked during the previous fire season and make adjustments as necessary. Local after-action reviews regarding season-long issues and successes will be shared with the Regional Fire Director and State FMO to inform an AAR at the State level.

## **FIRE WARDEN**

### **GENERAL**

The fire warden is an integral component of the wildland fire protection program in Utah. Responsibility for wildland fire management is a complex mix of federal, state and local laws, policies and cooperative agreements. By law each fire service provider is primarily responsible for fire within their jurisdiction. Because wildland fires seldom remain in a single jurisdiction the cooperating agencies have made agreements that define how we will work together. The "Master Agreement" states that the Division is responsible for wildland fire suppression on private land and will manage all the required agreements with county and local government: <https://ffsl.link/EnterpriseIBM> - for QR code see 7.3 on page 226. The Fire Warden is the Division's critical link between federal agencies and local fire service providers (reference to 65A-8-209(3)). The ability of a Fire Warden to cooperate and coordinate fire protection activities between the Division, local fire departments, federal agencies' personnel (BLM, USFS, BIA, NPS) and the public, will enhance the efforts of all personnel and assure efficient use of public dollars. The Fire Warden, as well as volunteer or full-time fire department personnel responding to wildland fire incidents will be qualified, trained, equipped and organized so that the incident is contained and controlled in the safest manner possible.

### **DIRECTION**

Attempt to control all wildfires in the county with local resources (county, state and federal). Should a fire warden require additional supervisory assistance on a wildfire, the Fire Management Officer (FMO) or designated Duty Officer (DO) will be contacted. (Each Area should develop specific SOPs to address this.) Additional supervisory and suppression resources outside of the county can be obtained through contact with the FMO or your interagency fire center.



Incident stabilization is one of the main objectives on all wildland fires managed by the Division. Establishing order early and maintaining it throughout the duration of the incident is critical to the safety of suppression resources and the cost-effective allocation of forces and state funds. One tool to accomplish this objective is the Incident Organizer. Use an Incident Organizer to help compile and organize all the critical information needed to plan and execute an incident action plan. It is an effective tool to track resources. It provides a means to document all actions taken and the rationale behind the decision process as well as the information required to fill out a fire report. Use an Incident Organizer on all wildland fires to ensure incident stabilization. Copies of the Incident Organizer can be obtained from your supervisor or through the interagency dispatch center.

## **COMMUNICATIONS**

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### **GENERAL**

Communication is key to performing work in a safe, effective manner. The Fire Warden should keep dispatch informed of their normal daily actions and location.

### **DIRECTION**

Notify the interagency dispatch center of daily activities and when you go in and out of service. Communications are even more critical when responding to fires. Wildland fires commonly involve multiple agencies. There may be multiple dispatch centers (e.g., county dispatch and the interagency fire center) representing the different jurisdictions mobilizing resources to an incident. When working with multiple dispatch centers it is important to ensure that information is shared with all involved. The following procedures should be followed when responding to a fire.

- Notify dispatch center(s) advising that you are en route.
- Notify dispatch center(s) when you arrive on scene.
- Provide dispatch center(s) with a fire size up report using the local size up protocol or use the size up report provided in the Incident Response Pocket Guide NFES 1077 (inside of front cover).
- Communicate to local fire department resources on predetermined initial attack frequencies.
- All communications regarding incident information should be carried out by two-way radio so all involved hear the information. You should use your cell phone for sensitive information or if you are unable to communicate by radio.
- Update dispatch center(s) on status of incident.
- Update dispatch center(s) when a fire is delegated.
- Advise dispatch center(s) when assignment is completed.

Maintain regular communication with dispatch center(s) throughout the life of the incident and continue to keep the dispatcher informed of any significant changes and progress on the fire.

## **COMMUNICATION SYSTEMS**

### **GENERAL**

Wildland fire incident communications are accomplished on two radio systems in Utah. The federal land management agencies and many local and county agencies in rural areas operate on a VHF system. Many local and county agencies throughout the State have adopted the 800 Mhz system. This presents an obvious interoperability problem. If not managed properly this has the potential to escalate into a serious safety issue.

### **DIRECTION**

- Become familiar with the radio systems in your area of operation.
- Obtain the current frequency lists and communications plans.
- Become proficient in programming your radio equipment.
- If you are in an area that uses multiple communication systems know what options are available to mitigate interoperability problems.
- Every Area with multiple communication systems has access to at least one mobile radio interface unit. Become familiar with how it works, how to order it, how to set it up and deploy it if needed.

### **FREQUENCIES**

Radio frequencies are assigned and coordinated by national interagency frequency management groups. The frequencies assigned to you are approved and licensed to be used only in your area of operation. The use of your local frequencies outside your normal operating area may cause interference with local agencies and emergency service providers. Be sure the frequencies you are using are authorized for the area you are working in. Frequencies are listed in Chapter 10 - Reference Section.

### **RADIO PROTOCOL**

Much of the radio communication will be done on frequencies monitored by multiple federal, state and local agencies. Interagency agreements are in place to allow fire management agencies to utilize each other's radio systems as outlined in the Communication Systems section of the Master Agreement found here: <https://ffsl.link/EnterpriseIBM> - for QR code see 7.3 on page 226. It is common to communicate on another agency's system and for them to communicate on ours. Many people, fire personnel and others, will hear everything you say. It is imperative all radios be used in a professional and courteous manner. Use the radio for official business and only when needed. Misuse of the radio communication system could

result in disciplinary action, fines or the loss of the ability to use another agency's radio system.

## **ROAD CLOSURES**

### **GENERAL**

Incidents that affect or threaten to affect the transportation system may impact multiple agencies, jurisdictions, interstate commerce and the general public. First and foremost of concern is the safety of the emergency responders and the public. If it becomes necessary to close an interstate or state highway it will require the assistance of law enforcement. Having a road closure plan in place prior to the occurrence of an incident will increase your likelihood of success.

### **DIRECTION**

#### **Prior to an Incident**

- Work closely with UDOT, UHP and County Sheriffs to identify areas at risk and develop a plan to close roads if needed.
- UDOT is the only agency that has legal authority to close an interstate or state highway.
- The Highway Patrol is charged with regulating the traffic flow and may be assisted by county and local law enforcement.

#### **During an Incident**

- Position emergency apparatus as far off of the highway as early as possible or practical.
- All responders working adjacent to roads should use emergency lighting and high visibility vests to enhance visibility to traffic.
- Early recognition that the incident will or may affect the transportation system and notification to the Highway Patrol and UDOT is essential.
- Decisions should be based on subject matter expert risk assessment (Fire, Haz-Mat, etc.).
- Notify dispatch of the need to close road. Provide critical information:
  - » type of incident,
  - » location by milepost or exit number,
  - » lane direction of travel involved,
  - » name of IC,
  - » command post location,
  - » radio frequency designated for contact, and
  - » estimated duration of potential impact.
- Dispatch notifies UHP and UDOT.
- Complete shutdown of a highway should be avoided if possible. Lane closures are much more desirable options. Pilot cars might be considered.
- Consider the ability to stop and start traffic flow as needed to facilitate needs, such as air operations or vehicles needing to occupy traffic lanes(s).

## WILDLAND FIRE DECISION SUPPORT SYSTEM

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### GENERAL

The Wildland Fire Decision Support System (WFDSS) is a web-based decision support program for agency administrators to describe the fire situation, create incident objectives, develop a course of action, evaluate risks and document the process. Federal agencies are required to use this tool on all fires that escape initial attack. The Division is not required to use WFDSS on its fires, however this tool will be used to develop a course of action on multijurisdictional fires involving federal and state/private lands. It is essential that Division objectives be included when developing incident strategies on multijurisdictional fires. Because of this, it is important that the Division understands how the system works and becomes involved in the process.

### DIRECTION

Generally, it is the Area FMO or Area Manager that represents the Division when providing input into WFDSS. Decide prior to the fire season who will be the Area representative.

- Get training. The USFS or BLM usually offers training on the WFDSS each spring.
- Get a profile. This will allow you to monitor incidents being managed in your area from anywhere you can access the internet.
- Designate someone in each area to review and approve decisions on multijurisdictional fires. This is the official decision record of the incident. These decisions can be of great importance when negotiating cost share agreements once the incident is over.

## WILDLAND/URBAN INTERFACE

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### *Division Employees Are Not to Engage In Fighting Structure or Vehicle Fires*

### GENERAL

- The Division is only responsible for wildland fire protection, in pursuant to 65A-8-210(1), and County MOU Agreement found here: <https://ffsl.link/EnterpriseIBM> - for QR code see 7.3 on page 226. Division employees are not trained or equipped to suppress non-wildland fires. There may be Wardens who are members of fire departments and are trained for these types of fire. If those Wardens become involved in a non-wildland fire incident they are considered to be acting as a member of a fire department and not as part of the Division. This does not prohibit Division employees from engaging in exterior exposure protection.
- The Incident Response Pocket Guide (IRPG) contains important information that can be referred to when fighting fires in the Urban Interface. Reference the Wildland/Urban Interface Firefighting section in the IRPG <https://ffsl.link/nwgcg-irpg> - for QR code see 7.4 on page 226.
- DON'T SECOND GUESS YOURSELF—BE READY FOR TOUGH DECISIONS.

- ALWAYS DOCUMENT EVERY DECISION OR TAKE PHOTOS OF STRUCTURE BEFORE FIRE HITS.

Triage is not a situation that allows the time for perfection, only for your best judgment in the time allowed and good follow-through. Do not continually question or regret your decisions or precious time will be lost.

## **FEMA**

### **GENERAL**

In the event a wildland fire threatens a community it is possible for the Division to receive assistance from the Federal Emergency Management Agency (FEMA). It is critical that FEMA be notified in a timely manner. Notification must be made at the time of the threat. FEMA will not make a declaration after the incident. Therefore, it is imperative that you contact your supervisor or the fire management staff in the Salt Lake office as soon as you identify the threat to the community.

### **DIRECTION**

In the event of a wildland fire that “constitutes the threat of major disaster.” FEMA generally interprets this to mean 100 structures imminently threatened, major threats to commerce or infrastructure. You will need to contact your supervisor or the state office and provide the following information.

- Name of Fire/Complex
- County/State/Tribe
- Date Fire Started
- Total Acres Burned
- Cause
- Community Threatened/Population of Community
- Number of Persons Evacuated
- Voluntary or Mandatory Evacuation
- Number of Shelters
- Number of Residences/Business Threatened (% primary homes, % secondary homes)
- Threat to Facilities/Infrastructure/Landscape
- Fire Proximity to Facilities/Structures
- Natural/Man-made Barriers
- Number of Uncontrolled Large Fires in State
- Other Critical Considerations
- Percent Contained
- Weather: Wind, Temperature, Humidity
- Fire Behavior
- Fire Forecast for Next Burn Period
- Resources Committed
- Jurisdiction

Be prepared to provide this information when you report the situation to your supervisor or the fire staff. Notifying the Division of Emergency Management (DEM) liaison will help facilitate the collection of this information. A checklist form should be included in your Wardens Kit.

## **SEVERITY**

### **PURPOSE**

The purpose of this document is to describe the process for the requisition, approval, and tracking of State Severity funds.

### **BACKGROUND**

Severity Funding is the authorized use of Catastrophic Wildfire Reduction Strategy (CatFire) funds to augment local firefighting capacity during periods of extraordinary fire potential due to:

- Anticipated fire activity will exceed the capability of local resources.
- Fire Danger Indices indicate the need for additional suppression resources
- An abnormal increase in fire potential or danger due to: Hazardous weather events (dry lightning events, cold front passages)unseasonably dry fuels conditions, or periods of potentially increased fire activity.

### **TYPICAL USES**

- Preposition Initial Attack suppression forces (including travel expenses)
- Provide for aircraft availability
- Pay for extended staffing
- Pay for move up and cover of stations experiencing drawdown of available resources

### **DURATION**

Severity requests will be valid for a period of 30 days from approval, but the use of funds must be discontinued once the conditions warranting the request have abated.

### **SEVERITY FUNDS REQUEST PROCESS [3]**

- (4) Complete the Severity Request form (see reference section)
- (5) Complete Severity Request Spreadsheet. (see reference section)
- (6) Forward both to the State FMO or DFMO (if FMO is unavailable)
- (7) Requests will be reviewed and consolidated at the Salt Lake City Office.
- (8) The State Fire Management Officer (SFMO) will determine whether the request(s) warrant severity funding.
- (9) The respective Area Fire Management Officer (FMO) will be notified of the disposition (approval, denial, modification).
- (10) If approved, an approval memo from the State FMO will list authorized resources, along with a cost code for all approved line items.
- (11) All severity Resources will be requested through a Resource Order placed through a local Interagency Dispatch Center

## **EVACUATIONS**

### **GENERAL**

Evacuations are a last resort but may be necessary if the general public is in danger or is a hindrance to the overall suppression effort. Forcing someone to leave their property is never easy. It requires the use of resources outside of fire suppression with a different skill set and qualifications. Evacuations can be ordered by the chief executive of a political subdivision. They must be carried out and enforced by law enforcement. It is much easier to implement evacuations if a plan is in place prior to the need to evacuate.

### **DIRECTION**

#### **Prior to an Incident**

- Work with communities to develop a plan. Identify the conditions that may require evacuations.
- Include local law enforcement and emergency managers when developing the plan, protocols and responsibilities.
- Have a communication plan. Identify the communication needs before, during and after an evacuation. Identify the information needs of all those involved (e.g., residents, law enforcement, emergency managers, firefighters, agencies and media).
- Establish evacuation centers. Some people will need a place to relocate to. These sites are also good locations for disseminating information to evacuees.

#### **During an Incident**

- Notify dispatch of need for evacuation, request assistance from law enforcement, notify DEM liaison, and provide critical information.
  - › Location
  - › Number of residents
  - › Name of IC
  - › Command post location
  - › Radio frequency designated for contact
  - › Estimated duration of potential impact
- Utilize Public Information Officers (PIO) and joint information centers when possible. There will be a tremendous need for information by residents, local officials and media. PIOs are trained to provide this information to the various entities that require it.
- Evacuate early. Allow enough time for residents to gather personal items, secure their property and safely leave the area.
- Keep evacuees informed. Provide regular briefings to evacuees to the best of your ability
- Notify State Duty Officer
- Lift evacuations when it is safe to do so.

## **INCORPORATED LANDS**

### **INITIAL ATTACK-MUTUAL AID TO MUNICIPALITIES**

Utah's municipalities are protected by a variety of Fire Service organizations ranging from fully paid to a combination paid and volunteer to fully volunteer. It is commonly recognized that under certain circumstances a single entity may not have the resources to handle some incidents on its own. Fire Service organizations commonly render mutual aid to one another. Mutual aid is a force multiplier that can be pivotal in the success or failure of initial attack. Successful, aggressive initial attack can prevent catastrophic wildfires.

#### **FFSL Role in Mutual Aid:**

- Direct fire suppression assistance with engines and personnel
- Liaison for local and federal agencies that may be threatened
- Maintain information flow to Interagency Fire Center
- Provide tactical advice, present options and coaching to local entity
- Bridge between communications systems VHF-800 MHz
- Monitor triggers and accept Delegation of Authority if necessary
- Work on task books and other practical training opportunities with local personnel
- Assist with fire cause and origin determination
- Assure proper use of preplanned aircraft (if any)
- Monitor federal response as it pertains to the minimum billing threshold
- Maintain positive professional relationships

#### **Coding Time:**

Split Funded Personnel that have a county base code such as wardens, assistant wardens and seasonals should charge to their county base code on all private land fires incorporated and unincorporated unless delegated to the Division. If delegated charge all time to 1810. FMO's, Area Managers, Dispatchers etc. should charge all in-state fires to unit 1810 in all cases.

Care should be taken not to spend an excessive amount of time on mutual aid assignment after containment. Mop up, patrol and checking the fire should be the responsibility of the Authority Having Jurisdiction.

Local non delegated fires should follow the standard naming convention using landmarks as the basis for the name. Avoid using "500 West" as it could be easily duplicated in multiple jurisdictions. Remember, the name could be in the news, use good common sense.



## DIRECTION

- Firefighter and public life safety should be the number one priority for all responding agencies in all cases.
- The Fire Warden should be dispatched to assess the situation if they are requested.
- Jurisdiction should be established and confirmed with the Interagency Fire Center with GPS coordinates as soon as possible.
- Determine if the fire poses an immediate threat to unincorporated lands or federal land. If so, boundary line protocol should be used. See the current Statewide Operating Plan.
- State and/or federal assistance that can occur at a cost under the minimum-billing threshold described in the Utah State Master Agreement may occur at no charge to the incorporated city when in the best interest of the supporting agency(s). This is pursuant to the master agreement found here: <https://ffsl.link/EnterpriseIBM> - for QR code see 7.3 on page 226.
- If not, and assistance is requested by the incorporated jurisdiction, the supporting agency(s) shall:
  - » consult on tactics, strategy, objectives, communications plan and cost responsibility;
  - » assure critical information is documented early in the incident; and
  - » notify dispatch(s) a liaison has been established and assistance is being rendered.
- A Division representative will assume operational supervision of interagency resources to assure supervision and appropriate span of control to NWCG and agency standards.
- The Interagency Fire Center will issue a fire code number. The fire code number will be used to track all Fire Center orders.
- The Interagency Fire Center will notify the FFSL FMO or Area Manager and appropriate Federal FMO or Line Officer to begin formal documentation.
- If a request that supporting agency personnel assume an incident command role, a Delegation of Authority should be prepared.
- Right-of-Way
  - » Fires that occur within the State Right-of-Way and plot private will be State fires. Fires within the Right of Way that plot Federal belong to the Agency of jurisdiction.

## AIRCRAFT

### GENERAL

All aviation activities in wildland fire fall under the umbrella of NWCG. There are a number of policies, guides, references and contractual language that are specific to the different agencies that provide aircraft. It is a good practice to consult

aviation personnel when using these costly assets in order to promote safe and effective use.

The use of aircraft can increase the complexity of an incident. It is important that there are qualified personnel on scene to manage aviation resources assigned to the incident. Aircraft resources are costly; therefore it is important to use these resources as effectively as possible. Work closely with aircraft managers to prioritize flight time. Provide feedback to pilots and air attack on effectiveness of tactics. Aircraft are ordered through your interagency dispatch center. For specific information pertaining to types of aircraft, their capabilities, safety and use refer to the Aviation section of the Incident Response Pocket Guide NFES 1077. <https://ffsl.link/nwcg-irpg> - for QR code see 7.4 on page 226.

### **AERIAL SUPERVISION**

Most aerial supervision is provided by our federal partners. If available, aerial supervision will be automatically dispatched with federal aircraft. Using aerial supervision can reduce your span of control as an Incident Commander and increase safety and efficiency. For NWCG Standards see: <https://ffsl.link/nwcg-standards-aerial-supervision> - for QR code see 7.7 on page 226.

### **STATE CONTRACTED AIRCRAFT TYPE 1 HELICOPTERS**

FFSL has contracted with the Croman Corporation for two (2) Type 1 helicopters. These aircraft are Sikorsky SH 3H, a variant of the S-61. This five year contract started in 2022 and is slated to run through the 2026 fire season. The first helicopter comes on contract June 1st annually and reports to the Cedar City Air Center. The second aircraft comes on contract July 1st and reports to the Spanish Fork Airport. This allows us to have at least one aircraft on duty June through the end of Sept. We do have the ability to bring them on earlier or extend them later. However, we will move them around as needed to meet our needs. These resources are primarily initial attack resources but will also support large fires as necessary. It is essential that FFSL personnel work with other agency Duty Officers, Dispatchers and Incident Commanders to assure that the aircraft are utilized in a timely manner. For NWCG Standards see: <https://ffsl.link/nwcg-standards-helicopter-ops> - for QR code see 7.10 on page 227.

### **TYPE 3 HELICOPTER**

FFSL will stand up a Type 3 helitack program in the 2024 fire season. The intent is to base this asset out of the Spanish Fork Airport. The mandatory availability period (MAP) is slated for May 1-August 29. Extensions of the MAP will be addressed per the needs of the Division and the conditions. We look to hire 10-12 personnel for this program.

## **AIR TANKERS**

Large Air Tankers (LAT) are national resources. All are “next generation” aircraft and are capable of speeds 300+ knots and 3,000 gallons of retardant. Reload bases in Utah are located in Cedar City and Hill AFB. Other bases are located in surrounding states. Place the order and let the dispatch system work.

Single Engine Air Tankers (SEAT) bases may be in multiple locations around the State. They are mobile and can be moved to accommodate incident or severity needs.

## **ENVIRONMENTAL GUIDELINES**

Due to the sensitivity of aquatic habitats, the application of foam, gels, and retardant into bodies of water must be avoided. Leave at least a 300-foot buffer zone from the water.

For other NWCG aviation standards see below:

<https://ffsl.link/nwcg-standards-aerial-ignition> - for QR code see 7.6 on page 226.

<https://ffsl.link/nwcg-standards-aviation-haz-materials> - for QR code see 7.8 on page 226.

<https://ffsl.link/nwcg-standards-unmanned-aircraft> - for QR code see 7.9 on page 227.

## **HAND CREWS**

### **GENERAL**

Hand crews are available from several different sources and have different restrictions and capabilities. It is important that these resources are ordered, assigned and utilized within their abilities. Information explaining hand crew capabilities and production rates is available in the appendix section of the Interagency Standards for Fire and Fire Aviation Operations NFES 2724 (Red Book) and chapter 4 of the Wildland Fire Incident Management Field Guide PMS 210-1.

In addition to ordering the right type of crew to meet your needs it is critical that you make a good assessment of the crew condition once it arrives on the incident. The best way to do this is a face to face meeting with the crew supervisor. The crew supervisor is responsible for the safety and well-being of all the people on the crew. He/she will be able to give an accurate assessment of the crews' condition and capabilities.

## **UTAH NATIONAL GUARD RESOURCES**

### **GENERAL**

The Utah National Guard has resources and facilities available for supporting an incident.

## **DIRECTION**

If you wish to order resources from the National Guard, the following procedures must be followed.

- Local resources must be depleted before National Guard resources will become available under most conditions.
- Contact the State duty officer (SFMO) or (DFMO) for Forestry, Fire and State Lands.
- The State duty officer will contact DEM and the National Guard. The National Guard will determine the availability, contact points, etc., for the use of the resource/facility. The National Guard will contact their local unit and brief their personnel on procedures to be taken.
- The state duty officer will contact the requesting fire center with specifics of the request.

## **FEDERAL FIRE POLICY**

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### **GENERAL**

Federal agencies' wildland fire management policy allows them a full range of management options; from little or no action to aggressive, full suppression, when considering what action to take on wildland fires. Further, these actions can change with time as the fire moves across the landscape and conditions change. Additionally, multiple suppression strategies can be employed on a single fire.

The Division recognizes that every land management agency has the prerogative to determine a management response to any fire within their jurisdiction. The challenge comes when wildfires have the potential to be multijurisdictional and jurisdictional management objectives do not coalesce.

In general, it is the Division's position that fires managed using this type of strategy should not involve private lands. Where this is not practical, federal agencies will relieve state and county governments of any suppression costs, liability or claims.

### **DIRECTION**

- An Area FMO and/or Area Manager needs to be involved when a federal agency makes the decision to manage a fire at less than full suppression.
- Obtain regular briefings on the status of the fire. The frequency will vary depending on fire size, current and projected activity and proximity to state or private lands.
- Ensure Division concerns/objectives are stated, understood and documented on record using the WFDSS system. These would include but not limited to:
  - › firefighter and public safety should be the primary concern;
  - › potential suppression cost incurred by the state and county;

- › impacts to private property, natural resources, watersheds, and social and cultural values;
  - › impacts to local economies;
  - › air quality impacts;
  - › impacts to resource availability as a result of a long duration incident; and
  - › impacts to interagency and intergovernmental relationships.
- Including private lands in any fire managed at less than full suppression will be the very rare exception. Because of the Division's statutory requirements and cooperative agreements with our county partners the best course of action is to suppress fires at the smallest size and least cost. The inclusion of private lands in these types of fires will require approval from landowners, county officials and the State Office. A delegation of authority and cost share agreement identifying each party's responsibility will need to be in place when the decision is made.
  - There are occasions when a limited suppression strategy may be employed on state owned lands provided that the proper conditions are met. Those lands have been previously identified for this type of treatment.
    - › Environmental conditions will produce the desired fire behavior to achieve predefined treatment objectives.
    - › The land managers agree with the course of action.
    - › The State Office approves.

## **AFTER-ACTION REVIEW**

It is highly recommended that every incident, particularly those involving multiple resources and or agencies, be reviewed with all those involved in the suppression effort. A great deal can be learned by getting together and discussing what actions were taken and how they can be improved upon. This effort has been known to greatly improve interagency cooperation, improve safety and increase efficiency.

This is not meant to be a method of criticizing an individual or group of firefighters, rather, it should be a means of constructively examining the current way things are done and determining if they can be improved upon. A suggested after-action review format can be found in the Incident Response Pocket Guide (PMS 461).  
<https://ffsl.link/nwgc-irpg> - for QR code see 7.4 on page 226.

## **SERIOUS ACCIDENT PROCEDURES**

A serious accident, for the purposes of these procedures, is defined as an entrapment or mishap that results in serious or non-serious injuries of multiple personnel, substantial loss of property, serious injury or fatality.

## **INITIAL ACTION**

- Assist the survivor(s): Administer first aid and transport as soon as possible.
- Secure the scene: If there is danger of fire, move survivor(s) to a safe and secure location.

## **ESTABLISH COMMUNICATION**

- Contact dispatch and/or rescue personnel.
- Communicate the need for EMS personnel, law enforcement, coroner, etc. Notify dispatch of the best way to transport injured personnel (e.g., by air [rotor or fixed wing] or ground ambulance). Do not broadcast victim or crew names on radio transmissions.

## **SEARCH THE ACCIDENT SITE**

Conduct a search of the surrounding area for additional survivor(s). Prior to searching the area assess the risk involved with fire, fuel, hazardous or unknown substances, etc.

## **NOTIFICATION**

- Contact supervisor and/or Salt Lake office within 24 hours. If cooperating agencies are involved, contact agency administrators either directly or through supervisor.

## **SECURE THE ACCIDENT SITE**

- Flag or rope off access to the accident site. Do not disturb the accident site except for life saving purposes. Photograph the site if possible. The exact location of entrapment(s), injury(ies), and fatality(ies) and the condition and location of personal protective equipment and any damaged property or equipment must be documented.

## **CARE FOR SURVIVOR(S)**

- Isolate any non-injured personnel. Assign someone to keep them informed, provide for their needs, deal with the media, monitor their condition, etc.
- Identify witnesses.
- Record the names, addresses and telephone numbers of all witnesses. Try and get witness statements using the Statement of Witness form (SF-94).

## **DOCUMENT**

- As soon as possible begin a written account of what happened. Be prepared to provide a chronological accounting of events and actions completed to an investigation team. Starting this process while events are still clear in your mind is critical. Your account may be used in an investigation, in a court of law or provide valuable information to firefighters in the future to recognize and avoid similar situations. You will also need to complete the following forms available on the FFSL Enterprise Forms page under Safety, <https://ffsl.link/EnterpriseForms> - for QR code see 7.5 on page 226.

- › Workers Compensation Form for those injured (Form 122).
- › Vehicle Incident/Accident Online Form if a vehicle was involved.
- › Wildland Fire Fatality and Entrapment Report (NFES 0869).

## **COST CONTAINMENT GUIDELINES**

### **GENERAL**

It is the primary objective of every wildland fire to ensure the safety of the public and firefighter! The secondary objectives to suppress wildland fires in the most cost-effective manner.

### **DIRECTION**

Use the following guidelines to ensure you are using every effort to manage costs.

- Use the run card system to support county and state strategic and tactical policies.
- Use local resources as much as possible. Include qualified resources from local fire departments and counties.
- Whenever possible, use local Type 3 Overhead teams to manage fires beyond initial attack.
- Where applicable, build fireline at night—hold during day.
- Develop Cost-Share Agreements to support county and state strategic and tactical policies. Write a Cost-Share Agreement as specific as possible to identify cost to the counties and state.
- Use aerial resources in a judicious manner. Consider other less costly resources that could safely accomplish the same objectives.
- Provide financial oversight to Overhead Teams. Request assistance from the Fire Management Work Unit as needed.
- Review Fire Resource Orders to determine effective use of suppression and support resources.
- As the fire progresses, evaluate county and/or the State responsibilities and values at risk.
- End the county and/or state financial involvement as soon as reasonably possible.
- When the fire is controlled, declare it controlled.
- Manage the resources, including the overhead team. Release them as soon as possible to reduce cost. Do not allow the cost of resources held for other purposes other than the needs of the fire to be billed to the county or state.
- Aggressively pursue cost recovery on human caused fires.

## WILDLAND FIRE INVESTIGATION

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### GENERAL

The Division is committed to determining the cause of all human-caused fires and to recovering suppression costs and pursuing criminal action when appropriate. As such, it is critical that a thorough “long-form” investigation be completed for all human-caused fires where the responsible party may be located. For all other fires, a “short form” investigation should be completed. Both the “short” and “long” form can be found on the FFSL Enterprise Forms page under Fire, <https://ffsl.link/EnterpriseForms> - for QR code see 7.5 on page 226. Although initial attack personnel may not possess the skills to conduct investigations, they may complete short forms and may also play a very important role in establishing patterns. Successful pursuit of criminal and civil actions based upon a wildland fire investigation is often commensurate with information received by eyewitnesses and initial attack personnel. Successfully solving serial or spree arson cases is only possible if there is thorough data collection on the fires involved.

Recognizing that initial attack personnel are primarily concerned with suppression actions, they need to also be aware of things that will be helpful to subsequent fire investigations. The following is a list of items that must be recognized and observed by initial attack personnel which will greatly assist with investigation efforts.

### DIRECTION

Watch for vehicles that are leaving the area or parked near the fire. Record vehicle license numbers and descriptions along with physical descriptions of occupants. Call vehicle descriptions and plate numbers over the radio so dispatch can record them.

Make note of any vehicles, equipment, adults or children you observe in the origin area. A digital camera or cell phone camera is a quick and reliable way to collect information while responding. Be aware of any activities that may be going on in the area; such as camping, children playing, parties/meetings, use of fireworks, construction activity, hunting/target shooting, etc.

### AFTER ARRIVING AT THE FIRE

Request a qualified fire investigator if you think you need one. When making the decision to order an investigator or not, consider the suppression costs, fire size, impacts to the public and any criminal elements. Observe how the fire is burning: Record wind direction and speed, relative humidity, color of smoke, flame lengths, flame color, etc. Take photos! If an investigator is not ordered, complete a “short form” investigation submission.











## **PROTECT THE ORIGIN AREA!!**

This is critical for any follow-up investigation.

- Do not apply water to the origin area until it has been released by investigators.
- Do not allow any vehicle or foot traffic to enter a suspected origin area.
- If the origin area has been impacted by initial attack forces before you arrive, do what you can to protect it after you arrive.
- There may still be important evidence and burn indicators which can be obtained and utilized. Use flagging to exclude anyone (including firefighters) from entering the origin and assign someone to maintain its integrity.
- Do not touch any evidence (unless it's in jeopardy), but make note of anything suspicious and inform investigators.
- Be aware of smells such as gunpowder, petrochemicals, etc.
- Get names, phone numbers, and addresses of witnesses, when possible and record witness statements using the Statement of Witness Form.
- Record any other information that you think may be useful in an investigation.

## CHAPTER 7 QR CODES

<p><b>7.1</b> Utah Code</p> 	<p><b>7.2</b> Shared Stewardship</p> 
<p><b>7.3</b> FFSL Enterprise-Incident Business Management</p> 	<p><b>7.4</b> Incident Response Pocket Guide</p> 
<p><b>7.5</b> FFSL Enterprise-Forms</p> 	<p><b>7.6</b> NWCG Standards for Aerial Ignition</p> 
<p><b>7.7</b> NWCG Standards for Aerial Supervision</p> 	<p><b>7.8</b> NWCG Standards for Aviation Transport of Hazardous Materials</p> 

**7.9**

NWCG Standards for Fire Unmanned  
Aircraft Systems Operations



**7.10**

NWCG Standards for  
Helicopter Operations



## CHAPTER 8 TRAINING

### WILDLAND FIRE POSITION CERTIFICATION

#### RED CARDS

All division employees will be certified through the National Wildfire Coordinating Group (NWCG) red card system for the wildland and prescribed fire positions for which they are qualified. Red cards will be issued by the State Office. Area FMOs or designee will be provided documentation showing training and physical fitness requirements have been met.

Red cards will be valid one year from the date of your fitness test or RT training, whichever occurs first. Division employees will complete the work capacity test at the fitness level required for the position NWCG Fitness & Work Capacity: 2009 Edition (NFES 1596).

Red Card requests will be processed by the State Training Officer or designee through requests from Area Managers and Area FMO's. FMO's are required to ensure all qualifications are valid and their training record supports the qualifications listed on the Red Card. Pack Tests must be completed and entered into the Incident Qualification System (IQS) prior to Red Card Requests. When requesting a Red Card, use IQS to produce the PDF with the Certifying official entered as State Fire Management Officer and current FMO's name. Consolidate your requests to ensure the quickest response. Submit the request to the Division Training Officer, who will verify qualifications and get the final signature from the FMO before returning. Red Cards requested during the closed fire season will have a delay in return due to on-going field activities.

#### POSITION TASK BOOKS

The wildland and prescribed fire qualification system is performance based. In addition to classroom training and physical fitness requirements individual performance is observed and approved by a qualified evaluator on an incident. The Division of Forestry, Fire and State Lands has adopted the NWCG Position Task Book system as outlined in the current version of the Wildland Fire Qualification System Guide PMS 310-1.

Definitions for Trainee, Coach, Training Specialist, Evaluator, Final Evaluator and Certifying Official may be found in the current PMS 310-1.

Position Task Books (PTBs) for positions up to and including single resource positions can be initiated by the Area FMOs. Refer to the Position Task Book Guidance

document for which task books can be initiated by the Division Fire Management Staff. PTBs can be initiated before required training is completed as per the current PMS 310-1. Final certification will be issued by the State Office when the PTB is completed and all required training is completed. Additional training which supports development of knowledge and skills as listed in the current PMS 310-1 is highly recommended.

Division employees are expected to complete three separate training assignments, with limited exception, before being recommended for certification. Trainees will submit the completed PTB to the Area Office for review by the Area FMO or designee, the submitted PTB will then be reviewed by the Utah Wildland Training Committee (UWTC). Once the PTB is certified, a copy of the front cover, the certification page and the evaluation pages will be attached to their IQS record and the original PTB will be returned to the trainee.

Task book submission for certification will be received through the form developed by the UWTC in the Training Toolbox website. The expected format is a PDF file with pages in order and the PTB checklist completed by the FMO included. During fire season electronic submissions will be reviewed the first Tuesday of the month electronically.

Each year up to two Area Offices and LPCC will undergo "Fire Readiness Reviews" involving the unit fire personnel and staff from the State Office Fire Program. A review of the Area training records is part of this process. The entire Division training file will be checked for accuracy every three years.

## **FIRE WARDEN**

One of the responsibilities of the Fire Warden is to coordinate and supervise initial attack on unincorporated fires in their county or counties. This, by definition, is the position/qualification of Incident Commander Type 4 (ICT4). Fire Wardens should be trained and certified at a minimum to meet the Engine Boss (ENGB) and ICT4 levels. Underfilled wardens should have an Individual Training Plan in place with these qualifications identified in a reasonable timeline.

## **ASSISTANT WARDEN**

Fire Wardens will make arrangements to provide a standby person when they are not available. This person must be qualified to carry out the duties of the Fire Warden in his/her absence. This person must be a red carded firefighter, preferably qualified at the Firefighter Type 1 (FFT1) level or higher.

Area FMOs are responsible for ensuring that fire wardens in their areas meet all the necessary training standards when hired.

## **IQSWEB / IROC**

The Division Training Officer (DTO) and Area offices will maintain training records of Division personnel and fire department personnel in the Incident Qualification System web (IQSweb) database. The content of these IQSweb records include qualifications, training, experience, target positions and position task books. The IQSweb database also supports a large number of other features such as personnel master reports, individual personnel profiles and work capacity information. IQSweb automatically syncs with the Interagency Resource Ordering Capability system (IROC). The DTO, Area Offices and LPCC will maintain the IQSweb database. It is imperative that each Division employee ensure that their own information/records are delivered through the chain of command to the DTO. Area offices will also have to ensure that the fire departments within their area have accurate training records in IQS to justify certification. The State Office, Area Offices and LPCC will develop and maintain Individual Development Training Plans for full-time and seasonal firefighters. These training plans will include short and long-term training goals for employees.

## **UTAH WILDLAND TRAINING COMMITTEE**

The Division training committee is composed of representatives from the State Office, the six area offices, Lone Peak Conservation Center, Utah Fire and Rescue Academy (UFRA) and fire departments. The training committee is tasked with the oversight of Division and fire department employee training, red card qualifications and PTB review. The training committee is responsible for reviewing PTBs for certification, coordinating training for Division and fire department employees through local and regional venues, and ensuring that NWCG standards are met. The UWTC is chartered under the State FMO group.

## **TRAINING RESOURCES AND PROCEDURES**

There are a number of options for Division employees to obtain NWCG training required for fire positions. Some courses can be presented relatively easily in-house. Others require a cadre of subject matter experts and are held regionally. All the courses required for each NWCG position are outlined in the current Wildland Fire Qualification System Guide, PMS 310-1. The Field Managers Course Guide (PMS 901-1) outlines instructor requirements for course delivery.

100–200 level S-courses are generally offered locally by a variety of sources. Each Area office and LPCC will offer classes based on their own needs. Division employees are welcome to attend if there are openings. Some Areas have interagency training committees that offer and coordinate these classes at the local level. Check with Area FMO for availability and application processes for these courses. UFRA and various Applied Technology Centers (ATCs), offer scheduled classes annually. There is tuition, and possibly travel and lodging costs associated with these options so check with your supervisor when applying.

LPCC has fire professionals to conduct or assist with course delivery. Annually, LPCC will host off-season S-Courses, specialty chainsaw workshops, and other interagency training events. LPCC can provide training opportunities if proper pre-planning has been completed. Contact the operations coordinator or training coordinator at LPCC to discuss training opportunities.

## **REGIONAL COURSES**

Courses at or above the 300 level are generally offered at regional training centers. These courses are required for upper level fire positions and require instructors with more knowledge, experience and advanced certifications. Demand for some of these courses is high so the application process is more formal. Applications are reviewed and prioritized at the local, state and regional levels before being submitted. Prioritization takes place in early October. Regional course nominations should be submitted by October 1st for the best chance of being prioritized. Courses and nominations are found at <https://wildlandfirelearningportal.net/> - for QR code see 8.1 on page 236. Training nominations for out of region courses are much less likely to be accepted. Always look in GACC first for best prioritization.

## **PRIORITY TRAINEE PROGRAM**

The Priority Trainee Program is a regional effort to provide training to a variety of ICS positions. Trainees will be prioritized similar to the regional course prioritization process. The program is announced in mid-February and closes late March. The link to the program is found on the GBCC Overhead page.

## **FIRE DEPARTMENT TRAINING**

UCA 65-8-203 specifies eligibility to enter into a cooperative agreement with the Division relating to fire protection. County fire departments are required to meet minimum standards for wildland fire training and certification in order to enter into a cooperative agreement with the Division.

The better trained a labor force, the safer and more efficient they become. The area fire staff shall make efforts to meet the training needs of their local fire departments.

The Division has entered into a cooperative agreement with UFRA and ATCs to provide wildland fire training to local fire departments and agency personnel. A wildland fire training coordinator has been hired at UFRA to plan and arrange for training throughout the state. The coordinator may be reached at 1-888-548-7816 <https://www.uvu.edu/ufra/training/wildland/index.html> - for QR code see 8.2 on page 236.

When there is a need for local fire department training, check with adjacent departments/agencies to ascertain their interests. Field personnel should consider coordinating wildland fire training sessions to include several fire departments or groups. When this is determined to be infeasible, then a request to train an individual fire department will be accepted. Consideration should be given to cost effectiveness of the training program. Contact the Area FMO with desired class information and recommended time and place. The Warden or Area FMO will contact the coordinator who will make arrangements for the class. Area training committee representatives should be notified of courses offered in the area to place on the Google training calendar for further coordination.

It is recommended that desired training be planned well in advance. Training which the Fire Warden can coordinate and instruct themselves or with limited assistance is encouraged. Training materials can be obtained from the DTO or UFRA.

The Area FMO, DTO and UWTC will inform the Fire Wardens of training classes/workshops that are available locally and regionally by way of the Google training calendar. The Fire Warden should be aware of training sessions and opportunities available from cooperating agencies (BLM, USFS, NPS, BIA). This training information also needs to be passed onto the fire departments by the Fire Warden or Area FMO.

Individuals seeking NWCG qualifications beyond those offered by the UFRA Certification Office will be required to meet the standards identified in the current version of the Wildland Fire Qualification System Guide PMS 310-1. To become fully qualified, individuals must meet all required training listed, experience, and physical fitness requirements.

## **RED CARDS FOR FIRE DEPARTMENTS**

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FFSL will issue Red Cards to fire departments that demonstrate completion of required NWCG training and field proficiency as outlined by NWCG 310-1 and the Utah Wildland Training Committee (UWTC).

## **UFRA CERTIFICATION**

The fire departments can request testing through the Certification Office at UFRA. Candidates are required to take a written and manipulative skills test. At the time of testing the departments must produce the training records and the physical fitness test records of their staff that are certifying. There is a fee of \$20.00 for the written test.

The department requests certification to the Certification Office at UFRA. UFRA will issue certification. There is a \$20 fee for certification.



## **NWCG FOR FIRE DEPARTMENTS**

Fire Departments can work with their Area FMO to facilitate the delivery of the NWCG courses for both Online and Instructor led. Students will be required to complete all courses with a score of 70% or greater to pass.

## **RE-CERTIFICATION**

Red cards are valid for one year from the date of issue. Firefighters must apply for re-certification to the FFSL Area Office. Firefighters must show they have completed a four-hour refresher course and meet the physical fitness standard yearly.

## **FIRE DEPARTMENT POSITION TASK BOOKS (PTB)**

Wildland Firefighter Type II (NWCG FFT1) PTB for fire departments can be initiated by the Fire Chief, F.D. Training Officer or Area FMO. The required training is listed in the current version of 310-1.

The trainee has three years from the first date of a trainee assignment to complete three separate training assignments. Evaluators must be either qualified in the position being evaluated or supervise the trainee. The final evaluator must be qualified in the position they are evaluating. PTBs above FFT1 have to be initiated by the Area FMO or DTO. For final certification of PTBs, the required training initiated as listed in the current 310-1 must be completed. The PTBs will be reviewed by the Area FMO or designee before being passed onto the UWTC for review and certification. If the UWTC approves the PTB for certification, a copy of the PTB will be made for the Area Office and the original PTB will be returned to the fire department. The UWTC will use PTB Checklist Form.pdf when reviewing fire department PTBs. This form can be found at <https://sites.google.com/utah.gov/trainingtoolbox/home> - for QR code see 8.3 on page 236.

## **CHAINSAW QUALIFICATIONS**

### **GENERAL**

Chainsaws can be a useful tool for fire suppression, fuels mitigation work and other natural resource management projects. However, in the hands of an untrained or inexperienced operator they can be deadly. Improper operation can increase costs, damage property and cause serious injury or worse. Even though they pose an inherent risk, chainsaws have become a necessary piece of equipment for much of the work we do. The safe and efficient use of these tools is essential to meeting many of our work objectives. Therefore, it is essential that the Division implement the following standards for the operation of chainsaws.

## **STANDARD OPERATING PROCEDURE**

All Division employees who operate a chainsaw will, at a minimum, successfully complete the S-212 Wildfire Power Chain Saws class. The class must be taught by someone qualified at the Single Resource and Faller 2 (FAL2) level. The class must also include a practical/field exercise where students can practice techniques and demonstrate their ability to safely operate a saw to perform limbing, bucking and falling procedures. Individuals must be currently first aid and CPR certified prior to being allowed to operate a chainsaw.

Employees who have successfully completed and have been evaluated in the field, will be qualified as a Faller 3 (FAL3). A Faller 1 (FAL1) receiving their initial evaluation from an agency outside of this Division will require the signature of the UWTC to be certified as a FAL1. FAL1 Position Task Book (PTB) will be initiated by the Division Training Officer and completed FAL1 PTB will be submitted to the training committee for certification. Refresher Training and field evaluations are required on a triennial (every 3 years) basis to maintain currency for FAL1, FAL2 and FAL3. Maintain currency by showing experience in IQS and completing the RT-212 on a triennial basis.

## **CERTIFICATION LEVELS**

FAL3 – Certification at this level permits the operator to perform limbing, bucking and falling operations in low complexity situations. Individuals certified at this level have limited experience and/or only require occasional use of chainsaws. After successful completion of the required training, written documentation, signed by the FAL2 or higher who conducted the course, will be submitted to the DTO stating the individual is competent at the 3 level. For fire qualified individuals the qualification will be listed on the Incident Qualification Card (Red Card) or a saw qualification card. For those not fire qualified a saw qualification card will be issued. Typical FAL3 cutting situations are on green trees with open lays, clear and open escape routes and safety zones. Chainsaw bar length will exceed the diameter of the tree being felled or bucked. FAL3 should whenever possible be supervised by a FAL2 or higher.

FAL2 – Certification at this level permits the operator to perform limbing, bucking and falling operations. Bar length may be restricted at the discretion of the evaluator as may the diameter of the trees. Individuals certified at this level have moderate experience and use chainsaws intermittently. After successful completion of the required training, written documentation, signed by the FAL2 or higher who conducted the course, will be submitted to the DTO stating that the individual is competent at the FAL2 level. For fire qualified individuals the qualification will be listed on the Incident Qualification Card (Red Card) or a saw qualification card. For those not fire qualified a saw qualification card will be issued.

Typical moderate complexity situations are on green or dead trees with open lays, clear and open escape routes and safety zones. Chainsaw bar length may be the same diameter of the tree being felled or bucked. FAL2 operators should be able to

perform cutting activities from whichever side of the tree is the safest for the operator and be able to wield the chainsaw ambidextrously.

FAL1 – Certification at this level permits the operator to perform complex limbing, bucking and falling operations. Faller 1s can be restricted to bar length and tree diameter at breast height (DBH) at the discretion of the evaluator. Individuals certified at this level have extensive experience and maintain their proficiency through routine use of chainsaws. Individuals at this level must have previous experience as a FAL2 and successfully complete a Faller 1 course. The approved course must be delivered by a Faller 1-Certifier as well as all field evaluations. Written documentation, signed by the Faller 1-Certifier who made the evaluation, will be submitted to the DTO stating the individual is competent at the Faller 1 level. The qualification will be listed on the Incident Qualification Card (Red Card) for fire-qualified employees. For those not fire qualified a saw qualification card will be issued.

Typical high complexity situations routinely require multiple advanced cutting techniques such as variations of face or back cuts, felling trees against the primary lean, directional felling and fire weakened or considerably compromised tree conditions. Close canopy lays, poor escape routes and safety zones, values at risk within cutting safety area, and tree diameters that exceed bar lengths are also good indicators of high complexity situations.

### Faller Certification Levels

	FAL3	FAL2	FAL1
Training	Refresher Training / S-212 with field evaluation	Refresher Training / S-212 with field evaluation	Refresher Training / S-212 with field evaluation
Certification Requirement	Certified by FAL2 or higher	Certified by FAL2 or higher	Certified by two Faller 1 Certifiers, or one Faller 1 Certifier and one Faller 1
Capability	Low Complexity	Moderate Complexity	High Complexity
Currency	3-year Refresher Training and experience	3-year Refresher Training and experience	3-year Recertification

### SAFETY

In addition to meeting all training standards, all Division employees will wear the appropriate personal protective equipment whenever operating a chainsaw. This includes eye protection, hearing protection, hard hat, gloves, long sleeve work shirt, lace-up boots with lug soles and chainsaw chaps. No trees should be felled when the top of the tree is not visible for any reason including obstruction because of heavy smoke, fog, darkness, canopy, etc. While performing operations on Federal lands, procedures for the governing agency must be followed. For example, the Health and Safety Code Handbook must be followed when performing operations in the Forest Service’s jurisdiction.

**CHAPTER 8 QR CODES**

<p><b>8.1</b> Wildland Fire Learning Portal</p> 	<p><b>8.2</b> UFRA Training</p> 
<p><b>8.3</b> FFSL Wildland Training Toolbox</p> 	

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## CHAPTER 9 INTERAGENCY COORDINATION

Maintaining close working relationships with our cooperators is one of the cornerstones of the Division's fire management program. Because of the mixed ownership of private, state and federal lands in Utah, we engage in multi-jurisdictional fire incidents on a regular basis.

Fostering and maintaining these relationships is a full-time job. We cannot expect everything to run smoothly and efficiently if we do not interact with our local and federal partners on a regular and ongoing basis. Division personnel link the interests and resources of the federal fire management agencies with those of the State, county, and cooperating local jurisdictions.

We also function as liaison between multiple dispatch systems; the counties and the interagency fire center for the area. Information sharing is part of our many interagency agreements, and the timely exchange of information between agencies is essential to assure efficient and effective fire management operations. However, not sharing information in an appropriate length of time and taking action on a fire in another jurisdiction could be viewed as an independent action. Subsequently, the Division or county could be held financially liable if notification to the responsible agency is not made in a timely manner.

The Division is party to multiple agreements with various local, county, state and federal agencies and entities. The authority to enter into these agreements is granted in Utah Code Annotated 65A-8-101(4) and 65A-8-203.

A hierarchy of agreements has been developed to establish the roles, responsibilities, methods and procedures that bind and guide the signatory agencies.

### STATE AGREEMENTS

#### UTAH COOPERATIVE FIRE MANAGEMENT AGREEMENT (CFMA)

The purpose of this agreement is to document commitments of the Agencies involved, to improve efficiency by facilitating the coordination and exchange of personnel, equipment, supplies, services and funds among cooperating Agencies. The CFMA authorizes the formation of groups and committees to provide oversight to interagency efforts. These include the Great Basin Coordination Group and the Geographic Coordination Center, Operations, Training, Fuels and Prevention Groups.

A key component is that the Division represents all political subdivisions of the State to the federal agencies on wildland fire management matters. Therefore, the Division maintains cooperative agreements with county and local agencies.

## **STATEWIDE OPERATING PLAN**

This Statewide Operating Plan (OP) is prepared pursuant to the Master Cooperative Wildland Fire Management and Stafford Act Response Agreement (CFMA) between the State of Utah Division of Forestry, Fire and State Lands and USDA/DOI Agencies within the State and the Intermountain Region of the U.S. Forest Service. It outlines specific procedures to be followed by the cooperating agencies in these general categories: Working Relationships, Preparedness, Operations, Use and Reimbursement and Interagency Resources. Other key components outlined are the consolidated billing procedures between agencies and out-of-state billing procedures.

## **LOCAL OR ZONE OPERATING PLANS**

Local and zone OPs are mandated by the statewide OP, and serve to document agreements and commitment to fire management assistance and cooperation at the Area, District, Zone, Tribal and Forest level. In each of these OPs the local management and organizational structures are outlined and SOPs, dispatch protocols and guidelines are documented and endorsed.

## **COST-SHARE AGREEMENTS**

Mandated by the Utah Cooperative Fire Management Agreement (CFMA) and OP; agencies must agree upon a method to account for and share costs that are fair and equitable to the parties when a fire is burning in more than one jurisdiction. This is normally between a federal agency(s) and the FFSL on behalf of the State, County(s) or incorporated town or city.

Methods need to be quantifiable. Breaking cost by acres burned is the easiest to execute as well as agreed upon dollar amounts. If the AA's between the negotiating agencies determine that a "Percent of Acres Burned" is NOT going to be used for the sharing of costs then a state office review of the negotiated cost share will be required. Once the negotiations have been completed at the area level and before a signature from the State is attached, a review of the cost share will be made by Fire Program and Division Administration. You will need to send the cost share to Jamie Barnes, Brett Ostler and Ben Huntsman for their review and approval. If the cost share is implementable and fair, Fire Program administration will approve and sign the cost share and send it back to the AA for final signatures.

Negotiating cost-share agreements within the State of Utah has been delegated to the respective unit administrators in the Cooperative Fire Management Agreement. Cost-share agreements are to be documented, including the basis or rationale used. Unit Administrator is defined as the individual assigned administrative responsibilities for an organizational unit, such as a Forest Supervisor or District Rangers (USFS), Field Manager (BLM), Area Manager or Area Forester (UFF&SL), Regional Director (FWLS), Park Superintendent (NPS), and Agency Superintendent (BIA). These individuals may delegate this responsibility to a representative.

## **AGREEMENT BETWEEN FFSL, COUNTIES AND MUNICIPALITIES**

Pursuant to Utah Code 65A-8-203 (2017), this Cooperative Agreement is required for a county, municipality, or certain other eligible entity ("Participating Entity") and the State of Utah, Division of Forestry, Fire and State Lands ("FFSL")(collectively "parties") to cooperatively discharge their joint responsibilities for protecting non-federal land from wildland fire.

## **FIRE DEPARTMENT UWRMOU**

The fire department Utah Wildfire Response Memorandum of Understanding (UWR-MOU) is an appendix of the county cooperative agreement.

The purpose of this UWRMOU is to provide a mechanism for procurement, use and compensation for fire management services provided by Utah fire departments or districts outside their jurisdictional area of responsibility to the State of Utah and its cooperators. FFSL's Fire Department Manual & Rates defines the required procedures for wildland fire certification, establishes requirements and payment method for Utah fire departments and supporting agencies providing services on wildland fires outside their jurisdictional responsibility or large fire support.

## **FEPP CUSTODIAL AGREEMENTS**

Federal Excess Personal Property (FEPP) custodial agreements are an appendix of the county cooperative agreement.

The custodial agreement outlines the provisions of the FEPP program that the county and its cooperators must follow to participate in the program.

## **STATE COOPERATOR AGREEMENTS**

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There are other agreements that the Division is not a party to; however, we must be aware of them to understand the local and statewide mutual aid agreements.

## **INTER-LOCAL MUTUAL AND/OR AUTOMATIC AID AGREEMENTS**

These agreements involve municipal fire departments and fire districts. The Division is not a party to these agreements. They are normally initial attack assistance and some are all hazard oriented.

Most are reciprocal, in that they do not involve the exchange of funds for the first operational period.

Due to the possibility of exceeding the minimum billing threshold outlined in the CFMA and the Statewide OP, this type of agreement may be the means that incorporated areas receive assistance from other fire agencies that are not state and/or federal.



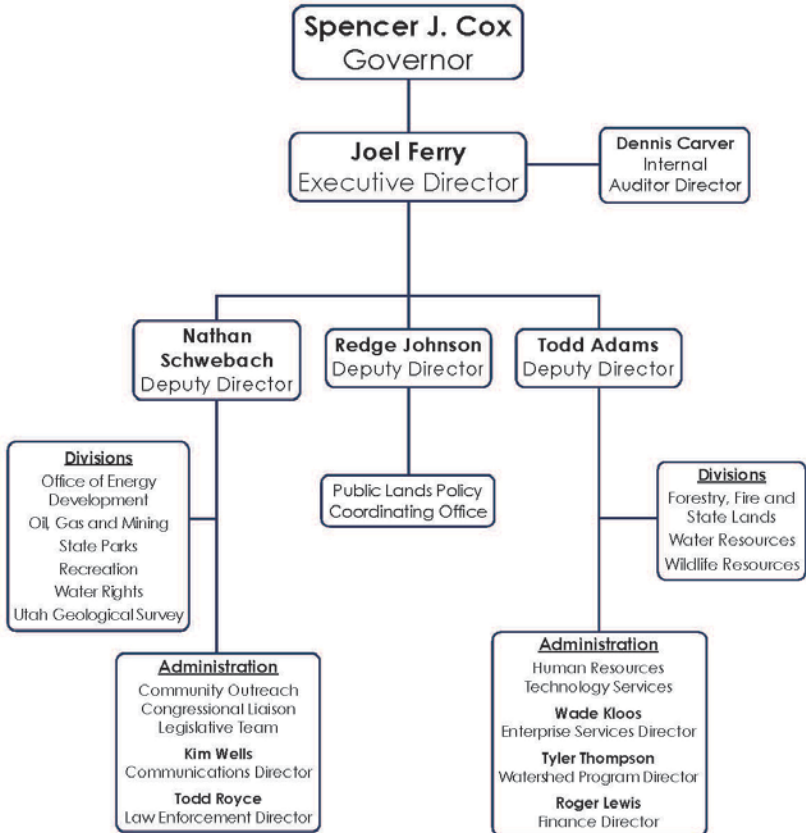
## **UTAH FIRE SERVICE INTRASTATE MUTUAL AGREEMENT**

Many of the Fire Chiefs in Utah have entered into an agreement to provide assistance to fire departments statewide. This agreement is all hazard in nature and has coordinators at the county and regional level.

The Division's FD Manual & Rates is the rate structure used in the wildland fire financial structure for this agreement.

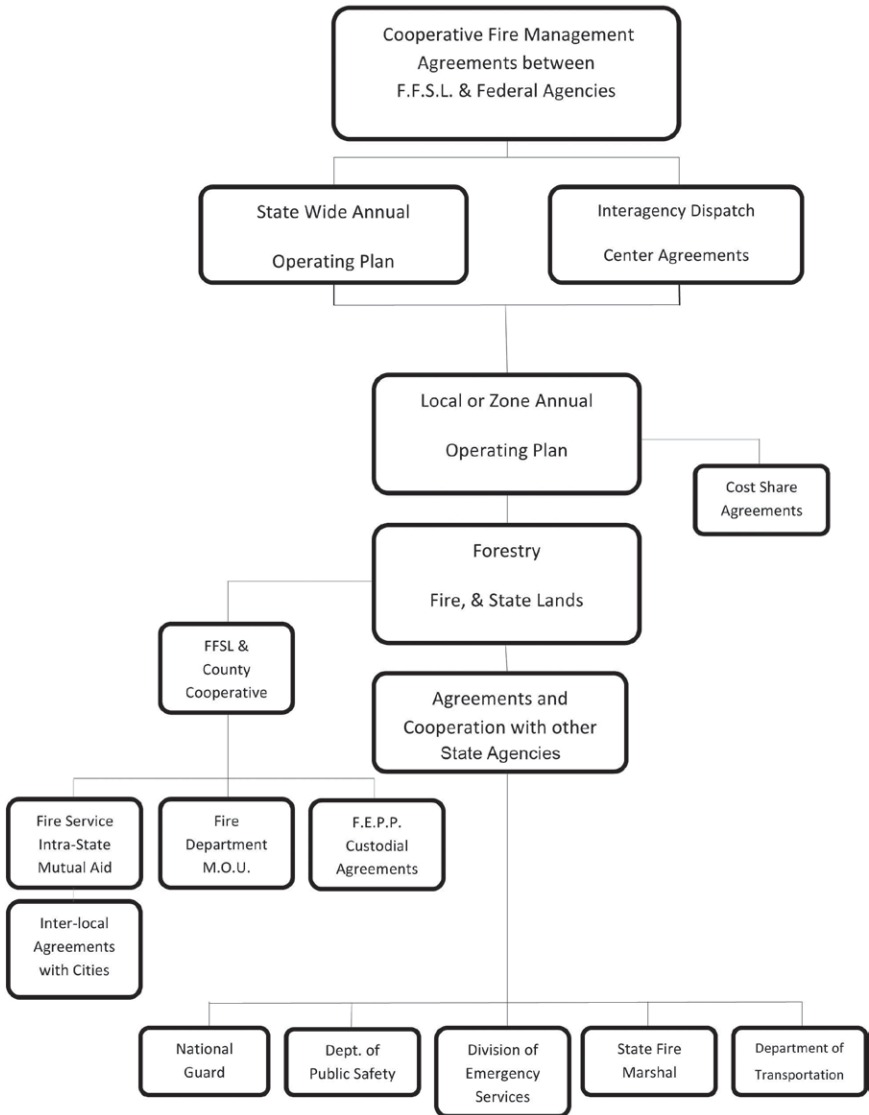
**CHAPTER 10 REFERENCE**

## Department of Natural Resources Organizational Chart





## Utah Cooperative Fire Agreements



## Severity Request

To: State Fire Management Officer, FFSL

From: XXX, Area Fire Management Officer

Subject: Fire Severity Funding Request

The XXX Area Office is requesting severity funding for the 30-day period from XX through XX. Funds will only be used to augment preparedness activities required due to the abnormal conditions outlined below. Adjustments to the resource mix specified in this request will be within the approved dollar limit and will ensure appropriate use of the funding. If conditions change so that use of severity funds are no longer warranted, the use of these funds will be discontinued.

Coordination of suppression actions with cooperators from federal and local agencies is ongoing and includes the use of multiple agency aircraft, equipment and personnel according to established reciprocal protection agreements. The ordering of additional resources to increase our level of preparedness is also being coordinated through the same cooperating agencies. All ordering for required resources will occur through established coordination system channels.

For questions, please contact Brett Ostler, State Fire Management Officer, at 801-538-5389.

### **NARRATIVE & QUANTIFICATION OF NEED**

The narrative and the table should adequately address the following categories:

1. Fire Danger and Fire Potential
2. Precipitation/Drought
3. Fuel Conditions (fuel loading and drought)
4. Current and Expected Weather Conditions
5. Interagency Cooperative Efforts

Hint: the table is provided to display the numerical information; it is not necessary to repeat table information in the narrative. The narrative is for supplemental or other information not included in the table.

Information in this request should be verifiable by GBCC Predictive Services. It is not necessary to provide links or screen captures, but be prepared to answer questions.

## Severity Request continued

Provide a narrative statement that contains the following information:

- Describe the specific geographic areas of concern.
- Identify the exceeded thresholds that trigger this request, i.e. NFDRS indices, drought measurements, current and predicted weather conditions, fuel loading, fuel moisture, number of extended attack fires, etc. These thresholds should be defined in Fire Danger Operating Plans, Initial Attack Plans, etc.
- Describe availability and condition of area resources, i.e. proximity to drawdown levels and level of fatigue
- Describe how current and expected conditions exceed the thresholds identified above.
- Describe any special conditions or circumstances, i.e. unusual events that may increase human starts, fire activity exceeds capability of local resources, etc.
- Describe interagency coordination efforts to address conditions, i.e. MAC group activation, explain how these funds will be leveraged with cooperators' severity efforts, etc.

Complete the white cells of the table to quantify the decision criteria:

Category	Measure	Location(s)	Local Thresholds	Current Value
Fire Danger	ERC/BI, other NFDRS output	SIG(s)	At what level are conditions considered severe?	
Fuel Moisture/ Drought	Live%, 100hr, 1000hr (whichever most drives fire behavior)	RAWS, SIG, or sampling sites	At what level are conditions considered severe?	

### REQUESTED RESOURCES

Attach severity request spreadsheet.

### SIGNATURES

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_  
 XXX Area FMO

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_  
 State Fire Management Officer

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
 State Director

This document can be found on the FFSL Enterprise Forms page under the Fire Forms section <https://ffsl.link/EnterpriseForms> - For QR code see 10.1 on page 281.

Request to Serve on IMT Form

**FFSL Request to Serve:  
Incident Management Team and/or Miscellaneous Overhead**

Name:		Area:		Date:	
Do You Have Primary Fire Responsibility?		Yes	No		
If yes, give current fire working title (use approved HR designator)					
Fire Position Qualifications:	First:			Second:	
	Third:			Fourth:	
	Trainee:			Trainee:	
Desire to Serve:	Incident Management Team (check all that apply)				
	<input type="checkbox"/>	CIMT	<input type="checkbox"/>	Great Basin	
	<input type="checkbox"/>	Type III	<input type="checkbox"/>	Non-Great Basin	
	<input type="checkbox"/>	All Hazard IMT			
	<input type="checkbox"/>	Single Resource			
Explanation of how the required fire responsibilities will be met, by whom, and for the entire request period.					
Employee Signature:				Date:	
Approved by Supervisor:				Date:	
Approved by County Official: <input type="checkbox"/> NA				Date:	
Approved by State Fire Mgt. Officer:				Date:	
Approved by State Forester:				Date:	

Revised 11/2023

This document can be found on the FFSL Enterprise Forms page under the Fire Forms section <https://fsl.link/EnterpriseForms> - for QR code see 10.1 on page 281.

## STATE AGREEMENTS

Cooperative Fire Management Agreement and Stafford Act Response. Dated 2018, for Fire Management between the following agencies:

- The State of Utah, Division of Forestry, Fire & State Lands, The United States Department of the Interior Bureau of Land Management (**Agreement # BLM-CMA-UT-SW-2018-001**)
- Bureau of Land Management Arizona (**Agreement # AGN AAA090011**)
- National Park Service Intermountain Region (**Agreement # P18G00294**)
- Bureau of Indian Affairs Western (**Agreement # A18AC00033**)
- Southwestern, and Navajo Regions , United States Fish and Wildlife Service (**Agreement # UTAH\_COOP\_2018\_FF06R03000**)
- The United States Department of Agriculture Forest Service, through the Regional Forester for Region 4, Intermountain Region (**Agreement # 18-FI-11046000-032**).
- <https://ffsl.link/EnterpriseIBM> - for QR code see 10.3 on page 281.

## STATE VEHICLES

- Type 6 Warden Engine - \$75.69 an hour and \$1.03 per mile. If the vehicle is only being used as transport for an overhead assignment, hourly rate will not apply.
- Command Vehicle (PU) - \$1.03 a mile



# ADMINISTRATION



State of Utah

SPENCER J. COX  
Governor

DEIDRE M. HENDERSON  
Lieutenant Governor

Department of Natural Resources  
Division of Forestry, Fire & State Lands

JOEL FERRY  
Executive Director

JAMIE BARNES  
Director/State Forester

## MEMORANDUM

**TO:** Jon S. Pierpont, Chief of Staff  
Office of Gov. Spencer Cox

**THROUGH:** Joel Ferry, Executive Director

**FROM:** Jamie Barnes, Director/State Forester  
Division of Forestry, Fire and State Lands

**DATE:** 3/11/2024

**SUBJECT:** Out-of-State Authorization for Wildfire Response

The Division of Forestry, Fire and State Lands requests authorization to approve out-of-state travel for its employees responding to wildfires and/or providing support activities related to wildfire response and/or fulfilling Interagency Resource Orders. The Division uses and participates with the National Interagency Mobilization System. Consequently, we may send personnel, crews and equipment out of state in response to wild land fire or unplanned, emergency events that could require agency support including Alaska. Due to the national diversity of fuels and weather conditions, fire assignments may occur at any time during the year.

The response time needed for wildfire incidents and support activities make it impractical to request out-of-state travel on a case-by case basis. Area Managers will establish the required level of accountability, follow existing notification protocol, and use the current process if the incident is not determined time critical. The Division asks for authorization for the period January 1, 2024 through December 31, 2024, for out-of-state travel for personnel involved in wildfire response or another emergency response. Any out-of-state travel costs incurred for support activities may be reimbursable by the user agency. All out-of-state travel costs incurred for wildland fire incidents are fully reimbursable by the user agency.

Approved: <u>Joel D. Ochoa</u> DNR Administration	Date: <u>03/20/2024</u>
Approved: <u>Jamie Barnes</u> Division Director	Date: <u>03/19/2024</u>
Approved: <u>Stacy Carrell</u> FFSL Finance Manager	Date: <u>03/19/2024</u>
Approved: <u>Jon Pierpont</u> Chief of Staff to the Governor	Date: <u>03/21/2024</u>



## Out-of-State Travel Authorization



**DEPARTMENT OF NATURAL RESOURCES  
WORK RELATED INJURY/ILLNESS REPORT FORM**  
(Use this form to document a work-related injury or illness.)

<b>Injured Employee:</b>		<i>Last Name</i>				<i>First Name</i>				<i>Middle Name or Initial</i>			
<b>Employee Identification Number (EIN) or Social Security Number:</b>													
<b>Resident mailing address:</b>		<i>Street</i>				<i>City</i>				<i>State</i>		<i>Zip</i>	
<b>Home Phone:</b>		<b>Work Phone:</b>				<b>Cell Phone:</b>							
<b>Date of Birth:</b>		<i>mm</i>	<i>dd</i>	<i>yyyy</i>	<b>Sex:</b> Male <input type="checkbox"/> Female <input type="checkbox"/>		<b>Marital Status:</b> Unmarried <input type="checkbox"/> Married <input type="checkbox"/>						
<b>Job (Position) Title:</b>													
<b>Employment Status:</b>		Full-time <input type="checkbox"/>		Part-time <input type="checkbox"/>		Temporary <input type="checkbox"/>		Permanent <input type="checkbox"/>		<b>Number of Dependents:</b>			
<b>Hourly wage rate (at time of incident):</b>		\$		<b>Number of days worked per week:</b>									
<b>Did you receive full pay for the day of injury?</b>		Yes <input type="checkbox"/> No <input type="checkbox"/>		<b>Did your salary continue after incident?</b>		Yes <input type="checkbox"/> No <input type="checkbox"/>							
<b>Time you began work the day of the incident:</b>				:	a.m.		p.m.						
<b>Date of injury/illness exposure:</b>		<i>mm</i>	<i>dd</i>	<i>yyyy</i>	<b>Time of injury/illness exposure:</b>		:	a.m.		p.m.			
<b>Date Employer was notified:</b>		<i>mm</i>	<i>dd</i>	<i>yyyy</i>	<b>Date disability began:</b>		<i>mm</i>	<i>dd</i>	<i>yyyy</i>				
<b>Direct Supervisor:</b>		<i>Name</i>						<i>Phone</i>					
<b>Type of injury/illness (i.e. sprain, laceration, break, etc.):</b>													
<b>Part of body affected:</b>						<b>Left side:</b>		<b>Right side:</b>		<b>Both sides:</b>			
<b>Did injury/illness exposure occur on state property?</b>		Yes <input type="checkbox"/> No <input type="checkbox"/>		<b>Did it result in lost time?</b>		Yes <input type="checkbox"/> No <input type="checkbox"/>							
<b>Location of accident/illness exposure:</b>		<i>Street</i>				<i>City</i>				<i>State</i>			
<b>List all equipment, materials, and chemicals being used when the accident/illness exposure occurred.</b>													
<b>Describe specific activity you were engaged in when the accident/illness exposure occurred.</b>													
<b>Describe your assignment at the time the accident/illness exposure occurred.</b>													

You can find this form on the FFSL Enterprise Forms page in the Safety section <https://ffsl.link/EnterpriseForms> - for QR code see 10.1 on page 281.

**HR-6 - Work Related Injury/Illness Report Form**



Utah Wildland Training Committee Position Task Book Review Checklist

1	Trainee Name:										Comments:		
2	Agency:												
3	Date Task Book First Reviewed:												
4	Date Initiated:	Date of First Evaluation:											
5	Position Task Book:												
6	Position Task Book Version:												
7	Are all pre-requisite training requirements for the position completed												
8	*Initiated by Qualified Person for each Position												
9	*Are completed tasks completed in the correct areas (O, I, W, RX)												
10	A Minimum of 3 Training Assignment Evaluations for the Position												
11	All final evaluations are dated and signed by evaluator												
12	Trainee information written on each evaluation page												
13	Evaluator information filled in on each page ** Complete information												
14	Incident / Event information filled in completely												
15	* Was duration long enough for position for each individual record												
16	*Was the incident type appropriate for the position												
17	Location of incident filled in correctly complete												
18	*Management Type was appropriate for position												
19	Fuel model information listed												
20	Evaluator's recommendations line checked with initials												
21	Evaluator's signatures												
22	Evaluation dates												
23	Evaluator's Qualifications appropriate for position (Trainee cannot sign)												
24	This Task Book has been approved by the												
25	committee for Final Certification <b>Circle one</b>												

All items marked with an asterisk are referred to the comments / conditions for Position Task Book rejection and actions to bring the Position Task Book into compliance. **Printed names of reviewers**

#1	#2	#3
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PTB Review Checklist

You can find this form on the FFSL Enterprise Forms page <https://ffsl.link/EnterpriseForms> - for QR code see 10.1 on page 281 or in the Training Toolbox site: <https://ffsl.link/fire-training-toolbox> - for QR code see 10.2 on page 281.



Schedule of Pay Periods and Holidays for 2024

PP	Beg date	End date	Check date	Holiday	
				Observed	Day Holiday
01	01/06/2024	01/19/2024	02/02/2024	01/15/2024	Mon Martin Luther King, Jr Day
02	01/20/2024	02/02/2024	02/16/2024		
03	02/03/2024	02/16/2024	03/01/2024		
04	02/17/2024	03/01/2024	03/15/2024	02/19/2024	Mon President's Day
05	03/02/2024	03/15/2024	03/29/2024		
06	03/16/2024	03/29/2024	04/12/2024		
07	03/30/2024	04/12/2024	04/26/2024		
08	04/13/2024	04/26/2024	05/10/2024		
09	04/27/2024	05/10/2024	05/24/2024		
10	05/11/2024	05/24/2024	06/07/2024		
11	05/25/2024	06/07/2024	06/21/2024	05/27/2024	Mon Memorial Day
12	06/08/2024	06/21/2024	07/05/2024	06/17/2024	Mon Juneteenth Day
13	06/22/2024	07/05/2024	07/19/2024	07/04/2024	Thu Independence Day
14	07/06/2024	07/19/2024	08/02/2024		
15	07/20/2024	08/02/2024	08/16/2024	07/24/2024	wed Pioneer Day
16	08/03/2024	08/16/2024	08/30/2024		
17	08/17/2024	08/30/2024	09/13/2024		
18	08/31/2024	09/13/2024	09/27/2024	09/02/2024	Mon Labor Day
19	09/14/2024	09/27/2024	10/11/2024		
20	09/28/2024	10/11/2024	10/25/2024		
21	10/12/2024	10/25/2024	11/08/2024	10/14/2024	Mon Columbus Day
22	10/26/2024	11/08/2024	11/22/2024		
23	11/09/2024	11/22/2024	12/06/2024	11/11/2024	Mon Veterans' Day
24	11/23/2024	12/06/2024	12/20/2024	11/28/2024	Thu Thanksgiving Day
25	12/07/2024	12/20/2024	01/03/2025		
26	12/21/2024	01/03/2025	01/17/2025	12/25/2024	wed Christmas Day
				01/01/2025	wed New Year's Day

2024 Schedule of Pay Periods and Holidays

THE CHURCH OF  
**JESUS CHRIST**  
OF LATTER-DAY SAINTS

**Hold Harmless Agreement**

Property User: Department of Natural Resources; Forestry Fire and State Lands

Property location or description: Heber East Stake Center, Heber Utah

Property to be used solely for: Fire crew camping on the lawn area and use of parking and pavillion area for logistic support.

Date(s) property to be used: 8/19/12 to 8/24/12 Use of outside area and electricity at no cost to the incident.

Time(s) property to be used: 24 hour cycle

Liability insurance company: Utah Division of risk Management

Policy number: SG-13-23-8

Combined single limit coverage amount: See attached addendum incorporated as part of this agreement.

In consideration for the permission granted by Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints or other affiliated property owner (the "Property Owner") to use the above-described property, the Property User assumes and accepts, to the fullest extent permitted by law, all risks of injury to itself and its guests, invitees, and licensees, whether to person or property, including but not limited to any injuries caused by the condition of the property, the use of the property by the Property User, or the ordinary negligence of the Property Owner.

The Property User shall use the property for the above-described uses and for no other purposes, unless the Property Owner gives its prior written consent to another use. The Property User shall promptly repair any damage to the property or the

Property Owner's improvements located thereon that are caused by the use of or entry onto the property by the Property User or its guests, invitees, or licensees.

The Property User further agrees, to the fullest extent permitted by law, to indemnify, hold harmless, and defend the Property Owner, its affiliates, members, agents, servants, employees, officers, and representatives (the "Indemnitees") from any and all claims for injury or damage, whether to person or property, including damage or injury caused by the ordinary negligence of the Indemnitees, arising or alleged to have arisen out of the condition of the property or the use of the property by the Property User, its guests, invitees, or licensees.

The Property Owner makes no representations as to the fitness of the

property for any particular purpose. The Property User accepts the property as is.

The undersigned represents and warrants that the Property User has currently in effect and will maintain the liability insurance described above, with the Property Owner named as an additional insured, and that the undersigned is duly authorized to execute and deliver this agreement and thereby bind the Property User.

This agreement shall be governed by the laws of the State of Utah, without reference to conflict-of-laws principles. Should any provision of this agreement be deemed unenforceable, the remaining provisions shall continue in force. In any action to enforce this agreement, the prevailing party shall be entitled to its reasonable costs, including attorney's fees.

Date: 8/22/12

Property User: Department of Natural Resources; Forestry Fire and State Lands

By: *[Signature]*

Title: *[Signature]* State Finance & Contracting

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**Addendum to Hold Harmless Agreement**

The parties agree that Property User DNR is a government entity under the Utah Governmental Immunity Act, Utah Code Ann. § 63G-7-101 et. seq. ("UGIA"). Nothing in the Hold Harmless Agreement, including without limitation any indemnity obligations, shall be construed as a waiver of any rights, immunities, or defenses otherwise applicable under the UGIA including the provisions of section 63G-7-604 regarding limitation of judgments. In addition, it is further agreed that the indemnity obligations imposed by the Hold Harmless Agreement are limited to the UGIA damage cap amounts found at Utah Code Ann. § 63G-7-604 which are currently \$674,000 per person injured in an occurrence/\$2,308,400 aggregate.

## **PRE-SUPPRESSION / PREVENTION SECTION**

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### **AREA READINESS REVIEW**

The review criteria are as follows:

### **AGREEMENTS AND CONTRACTS**

#### **Awareness:**

- Each employee has been provided with or has access to a set of interagency agreements that the division operates under, Master, statewide AOP, Local AOP and county.
- Each employee has been oriented and understands the contents of each document and how they relate to each other.

#### **County Agreements:**

- Current latest version, updated within the last 5 years
- Counties meet ordinance, training, and equipment requirements

**Local Annual Operating Plan:** Current  
**Interagency Dispatch Center AOP:** Current

#### **Fire Department UWRMOU(s):**

- Current
- Equipment Inspection
- Appropriately signed-up, being used appropriately
- Copies on file in the Area Office

**Vendor Contracts:** Current

### **ADMINISTRATION**

**County Suppression Budgets:** Completed

**Audits:** Completed

#### **FEPP Records:**

- Inventory/inspections current
- Equipment compliant
- FEPMS up-to-date

#### **Interagency Relations:**

- Agency Partners
- Regular Meetings
- Member of committees
- Local MAC groups
- Good communication and coordination



**Dispatch Center:**

- Active member of the interagency dispatch oversight committee.
- Involved with Center Manager performance management.

**County Commission/ Council:**

- Keep County Commission informed/involved in wildland fire decisions
- Established procedures for notification

**EQUIPMENT**

**Warden Vehicle and Apparatus:**

- Clean
- Equipped to NWCG Standards
- Current Vehicle weight slip
- Pump test documentation
- Pump operation and performance meets manufacturer's specs
- Foam system performance meets manufacturer's specs (if equipped)
- Radio(s) operational, warden proficient with programming, local frequencies posted

**Tools and Support Equipment:**

- Area Cache
- Inventoried
- Available
- Established procedures for resupply
- Procedures for re-supply through interagency fire cache known and used
- Re-supply procedures for non-cache items are known

**Call When Needed Equipment:**

- Vendors identified
- Contracts established

**TRAINING AND SAFETY**

**Area Qualifications:**

- All area staff are trained and qualified for the duties they are assigned
- At least one person qualified to ICT3
- At least one person qualified to RXB2
- Wardens qualified to at least ENGB and ICT4

**Training Plans (Staff):**

- Each employee has a training plan with a position goal identified and the required training to achieve the goal listed
- A hard copy is on file in the Area office, State office and targets identified in IQS
- Each employee has a file to document training, certifications and experience
- Annual refresher, work capacity testing completed and Red Cards issued
- Each employee receives the appropriate annual agency required training, e.g., defensive driving, workplace harassment prevention, etc.

**Training Plans (Fire Departments):**

- Needs analysis has been conducted
- Departments needing training have been identified and prioritized to achieve compliance to County Agreements and fire department UWRMOU

**Personal Protective Equipment (PPE) (Staff):**

- Staff have adequate PPE meeting NWCG standards to safely perform the duties of their job PPE (Fire Departments)
- Local fire departments have adequate PPE meeting NWCG standards to safely engage in wildland firefighting OR local departments have been counseled and advised as to how to obtain the required PPE

**Work/Rest:**

- Work/rest guidelines are observed
- Plans are in place to provide adequate rest for all staff during the fire season, even in times of active fire suppression

**After Action Review (AAR):**

- A process is in place to review performance on all fire assignments.

**Complexity Analysis:**

- Suppression activity is monitored to recognize when complexity level exceeds capabilities, managerial and operational resources are increased accordingly

**FIRE PREVENTION**

**Prevention Plans:**

- Fire prevention plans developed and in place for each county that identify signage. (where to post signs and the message)
- Prevention activities/events
- Restriction/closure procedures
- Participation with interagency partners

**COMMUNITY RISK REDUCTION**

**Fuel Reduction Projects:**

- Shows year-to-date planned, initiated, ongoing and completed projects from all applicable agencies
- Seasonal GIS data needs to be submitted to SLC
- Distribution of maps/data to all applicable parties (wardens, VFDs, FEDs, etc.)
- Complete success stories before project close-outs

**Participation in area committees:**

- Local fuels committee
- UPCD/WRI
- Regional CatFire workgroup
- Others as identified

### **Communities at Risk List (CARS)**

- Participate with local fuels committees on the annual update due in Spring.
- Use CARs list information in the CWPP process

### **UT Wildfire Risk Assessment**

- Familiarity with the assessment portal being able to navigate in discussions with communities and individuals along with local and federal cooperators.

### **CWPP List:**

- Year to date list showing CWPPs and primary contacts for communities
- Copies of CWPPs to all appropriate entities, e.g., State office and appropriate cooperator agency and stakeholders

### **Ready, Set, Go!**

- Register for membership
- Familiar with RSG resources available
- Promote membership with local fire departments

### **Firewise USA**

- Familiar with Firewise criteria and available resources
- Promote recognition program with community leaders
- Participate in a National Wildfire Community Preparedness Day - Firewise Event

### **Fire Adapted Communities Learning**

- Sign-up to receive FAC newsletter

## **MOBILIZATION**

### **Pre-planned Dispatch:**

- Run Cards updated

## **COMMUNICATIONS**

- Radios programmed with IA current frequencies for FFSL staff and local fire departments
- Fire season severity predictions, weather forecasts, fire behavior predictions, and fire activity levels are monitored and communicated to all Area staff
- A process is established to communicate fire information to the state office, public, media and cooperators

## **INCIDENT ORGANIZERS**

- Issued to all wardens and appropriate cooperators
- Policy for use

## **COUNTY MOBILIZATION PLANS**

- Updated
- Current
- Copies provided to State office

## **DUTY OFFICERS**

- Adequate qualified staff available to provide one person assigned as duty officer throughout fire season

## **IROC**

- Division information updated, current, and statused correctly

## **IMT SUPPORT**

### **WFDSS:**

- Trained
- Understand our role
- Participate in WFDSS development
- Area staff is assigned to evaluate, validate, approve and sign the WFDSS daily

## **TEAM BRIEFING**

Briefing package or format

## **DELEGATION OF AUTHORITY**

Draft or template developed and available

## **COST-SHARE AGREEMENT:**

- Staff trained
- Using standard format
- Staff understands roles and limitations.

It is recommended that each Area conduct an internal review each year using this and other Area specific criteria regardless of whether the Area is scheduled for review by the state office.

## **ENGINE MAINTENANCE**

The vehicle and auxiliary equipment which has been issued to the warden or other engine operator or engine captain is for fire suppression. It is the warden's responsibility to ensure the unit and equipment are clean and in good working order at all times. This is primarily to ensure a safe, effective attack can be made on fires. However, the appearance of the unit also says a great deal about the Division, the warden, and other engine operator or engine captain as individuals and employees.

- Time should be spent on a regular basis to maintain the unit. The pumping equipment, including drafting capabilities, should be checked daily.
- Vehicle damage and/or deficiencies should be reported to a supervisor immediately. The supervisor will determine the best means of correcting the problem and provide instruction to the warden.
- If the warden is unable to contact a supervisor in a reasonable amount of time, they should then contact the State Fire Management Officer for instructions.
- The following should be considered minimum maintenance standards:

- Vehicle chassis lube, oil and oil filter changed according to the fleet schedule for the vehicle, or other division standards.
- Vehicle air filter checked and changed according to the fleet schedule for the vehicle, or other division standards
- Vehicle waxed 2 times throughout the season plus once at the end of the season (total 3 times a year).
- Visual inspection of all components once daily.
- Pump started, systems checked daily.
- A complete inspection will be made after every incident.
- There is a Fire Vehicle Safety Inspection & Preventive Maintenance Form available. Check with supervisor for the specific ones for your specific work unit
- Operational tips for the Briggs & Stratton/Robwen pump assembly:
- Keep fuel free of water and dirt. Use isopropyl alcohol/fuel de-icer as required to remove any water from fuel. Change the fuel filter if dirty. With the addition of Ethanol to gasoline add Marine Formula Sta-Bil for ethanol additive to all gasoline used in pump and chainsaw motors.
- Always turn the fuel valve off when finished using pump assembly. If the fuel valve is left on for an extended period of time fuel may pass through the carburetor into the engine cylinder and crankcase diluting the lubricating oil.
- Service the pump motor every 25 hours. Keep track of operating hours on the hour meter. The hour meter runs anytime key is on.
- Always be sure some water is moving through when the pump is running to prevent overheating. Check the pump occasionally to see if it is getting hot from lack of circulation. All units are equipped with either a 1/8" line to return water to the tank or a pressure bypass valve. Be familiar with which system your engine is equipped.
- Call Mike Gyllenskog (Larsen Fire Apparatus) 435-881-1446 or Dennis Golden (Siddons Martin) 801-566-2437 if you have any problems.

**Use the following procedure when storing the engine for the winter:**

- Drain water from tank
- Open all valves halfway to prevent trapped water freezing and breaking valve
- Open all petcocks and drains (Make sure drains are operational)
- Check for drain petcock on bottom of pump body
- Remove and stow filter cup and screen
- Remove and store battery inside to prevent freezing
- Disconnect 1/4" line at back of pressure gauge, behind panel, to prevent freezing damage
- Cover pump and motor with tarp or store vehicle inside to prevent accumulation of moisture in engine, starter, and solenoid
- Prevent water from entering fuel tank by replacing damaged fuel caps
- Prevent water from entering cylinders by replacing damaged air cleaner nut

## **FIELD KIT SUPPLIES**

- Accident Reports\*\*
- Burning Permit Book
- Cell Phone and GPS Unit
- Cost Share Agreements\*\*
- Crew Time Report Book
- Equipment Time Book
- Equipment Transfer Forms\*\*
- Excess Equipment Inspection Report
- Fire Department Manual & Rates \*\*
- Fire Management Program Guide\*\*
- Gas Card Vendor Listing\*\*
- ICS Forms \*\*
- Incident Business Management Handbook \*\*
- Incident Organizers for Dispatch Area
- Incident Replacement Request Form \*\*
- Incident Response Pocket Guide
- Interagency Operations Guide (Red Book)\*\*
- I.R.P.G.\*\*
- Local AOP \*\*
- Mileage Log
- Mob Guide \*\* (County and GBCC)
- Personal Timesheet\*\*
- Radio Frequency List\*\*
- Programming Guide\*\*
- Set of Maps
- Spot weather forecast form\*\*
- State Fire Report \*\*
- State Forms\*\* (Perform specific search on the M drive or FFSL Enterprise)
- Telephone Directory\*\*

*\*\* Indicate that they are available online and referenced on the M drive or FFSL Enterprise.*

## **CAMPFIRE GUIDELINES**

Definition: Permanently improved places of habitation are homes or cabins that are fixed in place and the area surrounding the structure is improved and the vegetation modified to mitigate fire danger.

### **Guidelines:**

- Campfire must be contained within a pit 18 inches deep into mineral soil absent of roots or any other organic materials or solid ring made of noncombustible material that is at least 18 inches in height that will contain the fuel wood or coals while shielding the ashes from being blown by the wind.
- Maintain 18-inch depth of the pit by removing build up ash and other materials; assure disposed materials are completely extinguished.

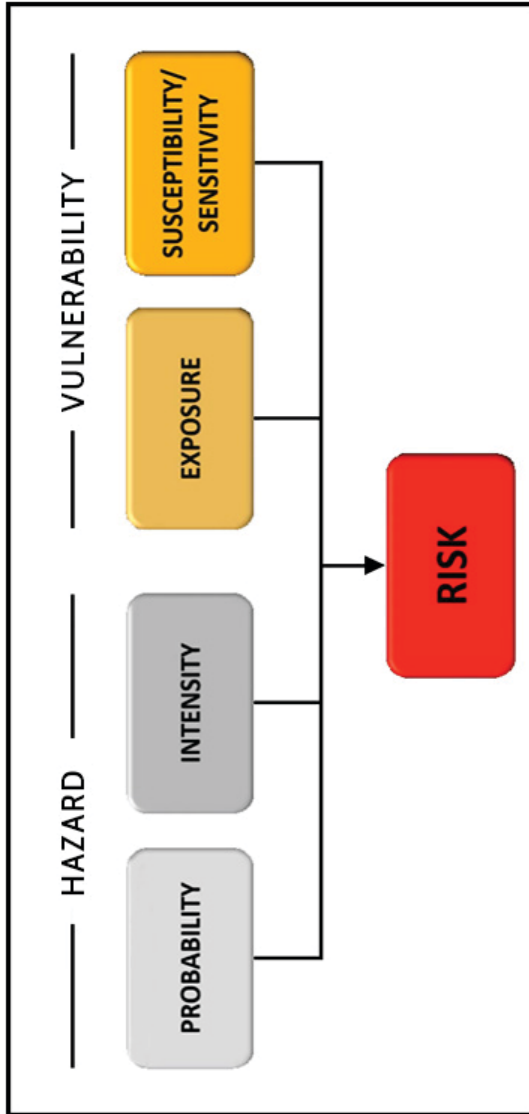
- Campfires must be at least 15 feet away from any combustible vegetation or structures, vertically and horizontally. Fire resistant vegetation as part of the landscaping is excluded.
- One person 18 years of age or older must attend the fire at all times.
- Ten gallons or more of water must be dedicated and immediately available on-site for fire suppression.
- At least one standard sized shovel must be dedicated and immediately available on-site for fire suppression.
- Campfires must be completely extinguished, cold to the touch, when not attended.
- Persons responsible for escaped or unattended campfires are subject to prosecution and suppression costs.

**Basic Inventory – Fire Warden Engine**

1	Fire Extinguisher	1	First Aid Kit
1	Star Lug Wrench	1	Hydraulic Jug Jack
1	Belt Weather Kit	1	Hydrant Wrench
1	Honda (or similar) Portable Pump	1	1 ½ Draft Hose w/ Foot Valve 8 or 10-foot lengths
1	Collapsible Bucket	300 ft	1 ½" Hose
300 ft	1" Hose	500 ft	¾" Garden Hose
1	Chain Saw	1	Pair Chainsaw Chaps
1	Pouch w/ 2 Wedges and Tools	2	½" x 1" Spanner Wrench
1	Hydrant Adapter (2 ½ x 1 ½) NST	2	Hose Clamp
2	1 ½" x 2 ½" Spanner Wrench	2	1 ½" Gated Wye
2	1" Gated Wye	1	Forester Nozzle
2	1" Combination Nozzles	2	¾" Nozzle
2	1 ½" Combination Nozzles	1	1 ½" Ball Valve
2	1" Ball Valve	2	1"x1" Tee
2	1 ½"x1" Tee	3	1" Tee w/shut off
2	1"x ¾" Tee	2	¾" Gated Wyes
2	¾" Shut Off Valves	1	1 ½" Double Female
2	¾" Wyes	1	1" Double Female
1	1 ½" Double Male	1	1" Thread Adapter
1	1" Double Male	2	1 ½"-1" Reducer
1	½" Thread Adapter	4	1"- ¾" Reducer
2	1"-1 ½" Increaser	2	Pulaski
2	Fire Shovel	1	Combination Tool
1	McLeod	2	Backpack Pump
1	Drip Torch	200 ft	Booster Hose
2	Rolls of Flagging	1	Case MREs
2	Box AA Batteries	1	Handheld Radio
1	Box D Batteries	1	Asst. Plastic Tool
1	Bucket (5 Gal) Foam Concentrate	2	12" Bastard Files
1	Asst. Hose Gaskets	1	Sleeping Pad
1	Sleeping Bag	1	Asst. Fuses
1	Roll of Filament Tape	1	Five Gallon Diesel Can
1	Five Gallon Gas Can		



Utah Wildfire Risk Assessment Portal





**State of Utah, Division of Forestry, Fire and State Lands  
Burning Permit or Fire Restriction Waiver**

Initial Box That Applies:

**BURNING PERMIT:** In accordance with Title 65A-8-211 (1) through (5) UCA - During the closed fire season it is unlawful to set on fire or cause to be set on fire, any flammable material without first securing a written burn permit. The burn permit does not relieve the individual of personal liability if a wildfire occurs as described in Title 65A-3-4 UCA. It is the right of the State Forester, or any of his deputies to refuse, revoke, or postpone this permit for non-compliance or if it is deemed necessary to prevent danger to life or property. Violation is a Class B misdemeanor.

**FIRE RESTRICTION WAIVER:** In accordance with Title 65A-8-212 UCA; the State Forester may restrict activities or close areas determined to be an extremely hazardous wildfire danger. This waiver is issued for the activity at the date, time, location and conditions described below. The waiver does not relieve the issued party of liability if a wildfire occurs described in Title 65A-3-4 UCA. It is the right of the State Forester, or any of his deputies to refuse, revoke, or postpone this waiver for non-compliance or if it is deemed necessary to prevent danger to life or property. Violation is a Class B misdemeanor.

Responsible Party				Purpose of Activity	
Print Name:					
Address:				Activity Located at:	
City,St,Zip:					
County:					
Phone 1:					
Phone 2:				Latitude:	
Email:				Longitude:	
Date(s) of Activity:				Between the hours of:	&
Subject to the following conditions:					
Issuer Signature:				I have read the permit or waiver and I understand and agree to the terms and conditions set forth thereon:	
Print Name & Title:				<i>Responsible Party Signature</i>	
Date Issued:				x	
Phone:				Date Signed:	
<b><i>If you cause a wildfire Call 911 as soon as possible!</i></b>					
<i>White Copy: Responsible Party    Yellow Copy-Area Office    Pink Copy- Issuing Officer</i>					

**Burning Permit**

DE MINIMIS BURNING CHECKLIST			
<input type="checkbox"/>	Full PPE	<input type="checkbox"/>	Conditions when Ignited
<input type="checkbox"/>	Adequate Resources For project	<input type="checkbox"/>	Temp: _____
<input type="checkbox"/>	List: _____	<input type="checkbox"/>	RH: _____
<input type="checkbox"/>	Justification:	<input type="checkbox"/>	Wind (speed and direction): _____
<input type="checkbox"/>	Contingency	<input type="checkbox"/>	Smoke Management
<input type="checkbox"/>	List: _____	<input type="checkbox"/>	Form 2
<input type="checkbox"/>	Resources Briefed	<input type="checkbox"/>	Notifications
<input type="checkbox"/>	Obtained Weather Forecast	<input type="checkbox"/>	Community(s)
<input type="checkbox"/>	Attach: Routine Fire Weather Planning Forecast	<input type="checkbox"/>	Adequate clearing index. Attach Clearing Index Forecast
<input type="checkbox"/>	Notification Day of Burn	<input type="checkbox"/>	Interagency Dispatch
<input type="checkbox"/>	Smoke Management Approval	<input type="checkbox"/>	Local Dispatch
<input type="checkbox"/>	Form 5 (upon completion of burn, optional)	<input type="checkbox"/>	Other
<input type="checkbox"/>	Values at risk, list: _____	<input type="checkbox"/>	Time and condition the fire was left: _____
<input type="checkbox"/>	Permission from Landowner or HOA to Conduct Burn	<input type="checkbox"/>	Fire checked at what frequency? _____
	RXB3: _____		Date: _____

## ACRONYMS

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AFMO	Area or Assistant Fire Management Officer
a.m.	ante meridiem, Latin for “before noon.”
AL	Area Liaison
AOP	Annual Operating Plan
ATC	Applied Technology College
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
CFMA	Cooperative Fire Management Agreement
COOP	Continuity Of Operations
CWPP	Community Wildfire Preparedness Plan
CWS	Cooperative Wildfire System
DAQ	Division of Air Quality
DAS	Department of Administrative Services
DBH	Diameter at Breast Height
DEM	Department of Emergency Management
DES	Department of Environmental Services
DFO	Division of Fleet Operations
DLA	Defense Logistics Agency
DNR	Department of Natural Resources
DOI	U.S. Department of Interior
DPL	Dispatch Priority List
DPS	Department of Public Safety
DTO	Division Training Officer
DTS	Division of Technology Services
EERA	Emergency Equipment Rental Agreement
ENGB	Engine Boss
ENOP	Engine Operator
ESRI	Environmental Systems Research Institute
EMS	Emergency Medical Services
FAL3	Basic Faller
FAL2	Intermediate Faller
FAL1	Advanced Faller
FBS	Fire Business System
FEMA	Federal Emergency Management Agency
FEPP	Federal Excess Personal Property
FFSL	Forestry, Fire & State Lands
FFT1	Firefighter Type 1
FMO	Fire Management Officer
FRA	Fire Rate Agreement
GACC	Geographic Coordination Center
GOED	Governor’s Office of Economic Development
GPS	Global Positioning System

GWWR	Manufacturer's Gross Vehicle Weight Rating
IA	Initial Attack
IAP	Incident Action Plan
INBA	Incident Business Advisor
IBPA	Incident Blanket Purchase Agreement
IC	Incident Commander
ICP	Incident Command Post
ICT3	Incident Commander Type 3
ICT4	Incident Commander Type 4
ICT5	Incident Commander Type 5
IHC	Interagency Hotshot Crew
IMT	Incident Management Team
IQSweb	Incident Qualification System Web
IROC	Interagency Resource Ordering Capability (Replaced ROSS)
IRPG	Incident Response Pocket Guide
IRWIN	Integrated Reporting of Wildland fire INformation
ITSS	Incident Technology Support Specialist
JHA	Job Hazard Analysis
LPCC	Lone Peak Conservation Center
LPD	Limited Purchase Delegation
LPG	Liquefied Petroleum Gas
LUA	Land Use Agreement
MCC	Merchant Commodity Code
MOU	Memorandum of Understanding
NFDRS	National Fire Danger Rating System
NFP	National Fire Plan
NFPA	National Fire Protection Association
NPS	National Park Service
NUIFC	Northern Utah Interagency Fire Center
NWCG	National Wildfire Coordinating Group
OLS	One Less Spark, One Less Wildfire
OST	Out-of-State Travel
PC	Participation Commitment
p.m.	post meridiem, Latin for "after noon."
P-Card	State Visa Purchase Card
POU	Point of Use
PPE	Personal Protective Equipment
PTB	Position Task Book
RA	Risk Assessment
RO	Resource Order
SHPO	State Historic Preservation Office
SIIBM	Standards for Interagency Incident Business Management
SMP	Smoke Management Plan
SUWFACT	State of Utah Wildland Fire Certification Training Committee
UAS	Unmanned Aerial System

## ***Fire Management 2024 Program Guide***

UDOT	Utah Department of Transportation
UFRA	Utah Fire and Rescue Academy
UHP	Utah Highway Patrol
ULWF	Utah Living with Fire
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife Service
UVU	Utah Valley University
UWCAC	Utah Wildfire Cooperator Advisory Council
UWRMOU	Utah Wildfire Response Memorandum of Understanding
VIPR	Virtual Incident Procurement system
VLAT	Very Large Aerial Tanker
WFDSS	Wildland Fire Decision Support System
WildCAD	Wildland Fire Computer Aided Dispatch
WUI	Wildland Urban Interface

For a more in-depth dynamic Acronym List see: <https://ffsl.link/acronyms> - for QR code see 10.5 on page 281.

## **WEB REFERENCES**

Web Reference links can be found here: <https://ffsl.link/fmpg-web-links> - for QR code see 10.6 on page 281.

## UTAH FIRE FREQUENCIES

### INTEROPERABILITY VTAC FREQUENCIES

These frequencies are to be used on a case by case basis for incident use. The State of Utah is programming these frequencies into all their radios (Highway Patrol, DOT, etc.), and requesting that all Counties and Municipalities do the same. How this is implemented is a decision of each Dispatching Zone. VTAC is defined in the National Interoperability Field Operations Guide as Non-Federal VHF National Interoperability Channels.

NAME	MOB RX	RX PL		MOB TX	TX PL	
VCALL	VCALL	155.7525		155.7525		N
VTAC 11	VTAC11	151.1375		151.1375	156.7	N
VTAC 12	VTAC12	154.4525		154.4525	156.7	N
VTAC 13	VTAC13	158.7375		158.7375	156.7	N
VTAC 14	VTAC14	159.4725		159.4725	156.7	N
VTAC REPEATER 37	VTAC37	154.4525		158.7375	136.5	N
VTAC REPEATER 2	VRPT 2	155.025	151.4	155.985	210.7	N
VTAC REPEATER 3	VRPT 3	155.895	131.8	151.1975	186.2	N
VTAC REPEATER 4	VRPT 4	158.7975	127.3	154.3025	203.5	N
VTAC MEDICAL 28	VMED28	155.3400		155.3400	156.7	N
VTAC MEDICAL 29	VMED29	155.3475		155.3475	156.7	N

### OTHER FREQUENCIES

The frequencies below are to be used and programmed into the radios as such. They will not be used for Tactical, Fire, or Law Enforcement Operations. The discussion for use as a Deck Frequency during isolated local use is possible.

Common use 168.350N – Wide Area 163.100N – NIMS 168.550N

This frequency must be removed from all radios, this has been reassigned to exclusive use for the Smokejumpers, and Secondary to the Repellers.

Air Guard 168.625 Tx/Rx Tone 110.9 (Tx tone only) for Emergency Use Only

National Flight Following 168.650 Tx/Rx Tone 110.9

Utah State Fire Channel 154.2800N Line of Sight

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---

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## CHAPTER 10 QR CODES

<p><b>10.1</b> FFSL Enterprise Forms</p> 	<p><b>10.2</b> FFSL Wildland Training Toolbox</p> 
<p><b>10.3</b> NWCG Prescribed Fire Complexity Rating System Guide</p> 	<p><b>10.4</b> FFSL Policy Manual</p> 
<p><b>10.5</b> FFSL Acronym List</p> 	<p><b>10.6</b> Fire Management Program Guide Web Links</p> 
<p><b>10.7</b> FFSL Contact List</p> 	