

STATE BOARD OF LAND COMMISSIONERS

December 20, 2022

Information Agenda

Subject

Idaho Master Fire Agreement between IDL and the Federal Agencies

Background

The Idaho Master Cooperative Wildland Fire Management and Stafford Act Response Agreement (Master Agreement) between Idaho Department of Lands (IDL) and the federal agencies – Forest Service (USFS), Bureau of Land Management (BLM), National Park Service, Fish & Wildlife Service, Bureau of Indian Affairs – is negotiated every five years. The agreement is the framework for defining how participating state and federal agencies cooperate for wildfire preparedness and suppression across Idaho. The proposed agreement allows for better mission alignment of interagency partners. The current agreement expired December 31, 2021, and signatory agencies are operating under a one-year extension that expires on December 31, 2022. An additional extension into 2023 is currently being signed. The operating plan within the Master Agreement can be amended annually. As changes occur, the flexibility to amend the annual operating plan is critical to meet changing and diverse needs across the state.

Wildfire Response Methodologies

Offset Protection

Since the 1980s, offset has served as the primary wildfire response methodology used by the agencies to exchange protection of acres across the state. Under offset, since IDL's fire resources are primarily located north of the Salmon River, it protects a higher percentage of federal acres north of the Salmon River. The federal agencies have more fire resources south of the Salmon River, so they protect a higher percentage of state and private forest resources south of the Salmon River. Acres are exchanged on a straight acre for acre basis, with no weighting attached to different types of land (e.g., forested, wildland urban interface, rangeland, etc.).

When an agency agrees to provide protection of another agency's jurisdiction through offset, it means that agency assumes protection responsibility and all protection costs for the designated acres. For example, state or private acreage protected by the USFS under an offset agreement falls under protection responsibility of the USFS. In turn, for federal lands IDL protects under offset, IDL assumes the full responsibility of providing protection. Under offset there is no exchange of suppression costs when suppressing fires on lands covered by the agreement. All the protecting agencies agree to follow each other's suppression policy as it relates to fire response and suppression tactics.

Reimbursable Protection

Reimbursable protection relies on cost-share agreements to establish reimbursement for the partner agencies providing fire suppression services. For example, if the USFS protects IDL lands under reimbursable protection, the protection responsibility resides with IDL, not the USFS. To explain, if there is a fire on IDL land and the USFS receives a call from interagency dispatch to respond, the USFS will respond as a cooperating agency, but responsibility for protection still resides with the jurisdictional agency, in this case IDL. The State of Idaho would be responsible for reimbursing USFS costs through a cost-share agreement. Similar to offset protection, reimbursable protection requires the responding agency to adhere to the responsible agencies fire suppression policies.

Mutual Aid Protection

Mutual Aid relies on reciprocity between the agencies and closest available resources to respond when a call is received. Mutual aid under the new agreement is more formal and includes most of the State of Idaho where Offset Protection has not been designated, and where both State and Federal firefighting resources exist. Under the previous agreement mutual aid was limited to the first 24 hours or a \$5,000 minimal billable threshold. Except for aircraft, the new agreement states that agencies will not exchange funds unless the costs exceed \$15,000. A closest forces response is preplanned and based on a run card system that has been in place for several years. It is a quick and efficient way of responding quickly to any call regardless of jurisdiction or responsibility. Once the Mutual Aid threshold has been reached on an incident, responding agency costs are reimbursed through a cost-share agreement.

Discussion

IDL, USFS and BLM representatives have been meeting regularly for the past 24 months to negotiate a new Master Agreement. In September 2022 representatives from the agencies met for five days and came to agreement on proposed changes. While the proposed agreement will still include Offset Protection, it will also include an increase in both Reimbursable and Mutual Aid Protection.

The IDL wildfire program has been adding resources over the past few years that will enhance our capacity to meet the response expectations of the proposed agreement. Fiscal Year 2024 Decision units requesting the necessary resources for standing up a fire protection district in Eastern Idaho and five strategic engines are important final additions to address changes in response areas, including balancing offset protection, in the proposed agreement.

If these decision units are not authorized in the upcoming legislative session, the agreement as it has been negotiated cannot be implemented.

Key components of the proposed agreement include:

- This agreement provides a move to align areas protected with agency missions: USFS to take backcountry timber, BLM to take range, IDL/TPAs to take state, private forested lands and the wildland urban interface.
- Most large blocks of industrial timber ground are either under direct IDL protection or USFS offset protection.
- This agreement now includes a mutual aid component which has a billing threshold designed to maximize fire response and minimize billing impacts.
- There has always been a commitment to closest forces response. This will continue. There is no expected reduction in resources responding to a fire. In certain areas we are anticipating an increase in responding resources.
- Run Cards (which determine how many and which type of resource responds to a given fire) are developed with interagency coordination. Current run cards will be adjusted to reflect changes in responsibility and maximize resource response.
- Dispatch centers are truly interagency, and all dispatchers work hard to ensure jurisdictional lines do not hamper fire response.
- This agreement will increase efficiency from a business perspective.
- Mutual aid comes with an expectation of response. Overall, there should be an increase in response resources whether its federal or state. There are no proposed changes for the fire service organizations.

Leadership and staff from IDL, USFS and BLM continue to meet monthly to finalize language for the proposed agreement. IDL has been meeting with field staff to begin planning for necessary changes required to implement the new agreement. IDL also met with Forest Industry partners to discuss the proposed changes. The agencies have agreed that 2023 will be a transition year, with full implementation to begin in 2024.