ULCT Wildfire Policy Work Group Meeting Notes

11/2/2015

Fire Districts

Cameron explained the concerns with fire districts.

If you are part of the district, then the city and town still cover the match. But Juab has a fire suppression district that covers the whole county, so no one but the fire district in the county has fire authority, then in those cases the district would cover meeting the participation match. This would allow a district wide approach which might make things less complicated. Cedar City has unique situation where the county contracts with the cities that do have a fire department to cover unincorporated county land. Have legislation, but not nail down details so as to allow for flexibility in the various situation around the state.

Document of district and city/town agreements is in a draft form, and needs many changes.

Liza Simpson had a question about Park City's situation. The entirety of the city is covered in the district, but the district doesn't cover the whole county. If the district paid the match, would the county pay for the rest of the county that isn't covered in the district.

Cameron – from our position YES, they would.

A question was asked about how those areas would be determined and assessed?

GIS mapping would help determine that.

Brian Cottam – who ultimately is accountable for meeting the participation match? As long as that is understood and covered in the law, then there might even be some value in dealing directly with districts, lessening the amount of entities to deal with.

John Brems – districts have response authority, but not authority to put things into place. John thinks there needs to be a contract with both, because, for example, districts can't decide on land use issues.

John Park – we contract with the district, and can work with them to decide what will be done.

Compacts should be not too complicated.

John Brems - Mutual aid could be a concern in working those compacts out.

Liza Simpson – legislation is looking good at this point, but there will need to be changes down the road, and being able to change a compact is easier then to change legislation

John Park – the more details in the legislation the more that is lost up at the hill.

Cameron Diehl – for Cedar, how should the compact be worded to protect them and those that are serviced outside the city?

Leave the county up to the county, but Enoch and cedar elected officials need to make the decision on how this would be split.

Mike Melton – renegotiating the current contract is where issues might come up.

Liza Simpson – those matches are flexible

Cedar Mayor, Maile Wilson – if Cedar City does something, does it count for Cedar or Enoch?

John Park – we would have to work out something with UFA, and Enoch will need to work something out with Cedar.

Cameron – We have a list of all the fire districts

Cedar's assessment number is big, but Enoch's isn't too big.

Lynn Pace – We will not likely be able to address all contingencies in the first year, but we can get most of them, and address the other issues once they arise.

Liza Simpson - Making those changes in a compact is much better than making these changes in legislation.

Cameron – broad legislation is supported. Vickers wants us to present with him in the November interim.

Brian Cottam – want FFSL's AG to sit with Cameron and/or Jodi to make sure we are all on the same page on the special service district authority piece.

John Brems – does it matter as long as both are participating?

Brian Cottam – yes because we need to know who is ultimately responsible if a match is not met, thus making it so some aren't eligible. And if a fire breaks out those areas that aren't eligible…

Cameron – potentially splitting responsibilities and one delivers and the other doesn't.

Brian Cottam – need a clear line on who is responsible.

Cameron – don't want two signatures for the same acreage.

Brian Cottam – do districts want this responsibility?

Tracy Dunford – it is a mixed bag, UFA does want the responsibility, but other districts do not.

DNR's attorney general, should get with Cam and Jodi to write up language.

Cameron has talked with LeGrand Bitter, and some of the special service districts are hard to work and communicate with.

Brian Cottam asked Tracy if they are comfortable continuing down this path.

Tracy Dunford – wants to hammer out who is signing.

John Brems – still thinks there needs to be both signatures.

Liza Simpson – the compact will have both signatures, but then there will be one signature with the state.

Compacts will play a part in resolving special issues, and there will be time to find the issues and address those individual needs in the compacts.

The legislation will assign the responsibility to the political subdivision, and the compact will work out the details between those political subdivisions.

Brian Cottam – doesn't think writing a compact for each unique situation, but those situations should be decided by the local governments.

Cameron – who signs on behalf of the division?

Brian and Tracy – the area manager.

Lynn Pace – look at this like a model ordinance/contract. Herriman or cottonwood heights would both sign, but will turn around and subcontract with UFA.

Mike Melton – whatever takes place, it needs to have the ability to be applied uniformly on the ground.

Lynn Pace – suspects it will likely be the districts that are responsible for that reason.

Brian Cottam – what if you have districts that say we are only for suppression, not mitigation?

Mike Melton – first things cut are mitigation and prevention stuff. These issues get stickier with Iron County. This effort is focused on prevention, not suppression.

Liza Simpson – if the establishment of the district is for suppression, then should districts not be engaged in mitigation, etc.?

Cameron – where do the meetings and conversations go at this point? All parties meeting together, or separately as needed?

Participation Match "carry-over"

Brian Cottam – a "carry-over" discussion has taken place within the DNR. Weren't really able to come up with some good options or ideas. Asked finance director to look at IRS for something more objective… still didn't find much. But did keep coming back as a group on the accounting and simplicity of it. Would like to keep percentages on the paper as they are, and that they count for 3 years.

Liza Simpson – just because it is too complicated to tie depreciation, etc.?

John Brems – would be more comfortable with 5 years, not 3.

Brian Cottam – the number comes from the finance director. The number is tied to your CWPP. Fin. Director was empathizing with the local people.

Liza Simpson – will trade the tracking of the actions to get the extra two years.

John Brems – so what is the double check?

Brian Cottam – the warden and local fire people. If something is fishy, it would be looked into and worked out.

UFA has big expensive time consuming projects, and would like to see more credit for those activities.

John Park – have something that emphasizes both capital projects and other projects.

Cameron – what if you just carried over on capital projects for 5 years, and 3 years for the others?

Liza Simpson – is there a price break that could be picked?

Concern about smaller jurisdictions not getting one because they couldn't reach the number.

John Park – maybe not a number, but a percentage.

Brian Cottam – don't want to get too complicated. 5 years on capital, and 3 years on everything else?

Cameron – spell out in agreement what qualifies for 5, everything else is put at 3.

Brian Cottam – the beauty of the compact is the ability to change it as needed down the road.

Cameron – my concern is the smaller towns that aren't part of these conversations, making sure that what is obtainable for the big cities is obtainable for the smaller cities.

Brian Cottam – talked about CWPP, and everyone needing one. CWPP at a local level is the most effective.

John Brems – doesn't that argue that you need two signatures on the agreement?

Cameron – does a district have authority to pass a CWPP?

Anyone can pass one.

Mike Melton – suggested that the district, and the other entities be signatures in the CWPP.

So, have 1 responsible entity, and all those affected sign on to the CWPP?

Who is participating in a CWPP, and who has their own?

Each participating entity needs to be covered by a CWPP. The preferred would be that everyone has their own, but not necessary.

Cameron – County could do a CWPP.

Mike Melton – actions need to be spelled out in the CWPP.

Brian Cottam – will be hiring staff to help do CWPPs. Over the next 3 years, (needs to be in place within 2 years of joining the system) take some of the CATFIRE dollars to address this issue. Where there isn't a CWPP, take part in the conversation when the conversation starts.

Cedar Mayor – so when does legislation go into effect? And if we are doing things now, do we get a look back?

Brian Cottam – the look back would begin January 1, 2016. That gives cities 2 ½ years to cover the first year match.

(Send language to others in the working group to have more eyes on it). Better as a staff effort?

John Brems – what about bringing the districts into this? Are they just going to do what we tell them to do?

Cameron – in part, but there are those with their own authority and will push back, but those are ultimately responsible to cities and towns.