Wildfire Policy Work Group Meeting

10/5/2015 at DNR in Salt Lake City

Fire, Forestry and State Lands (FFSL) thought their time at ULCT's Annual Convention went over well. Felt the discussion with cities was time well spent for everyone, and that nothing unexpected came up.

Cameron Diehl – people by in large were supportive of the process, and there seemed to be good buy-in. League members appear to be supportive of process. LPC will be a time to ask for official support from LPC members for the process.

Bryan Cox – Some concern from northern cache valley towns, and how things work with those bordering state and federal lands.

Cities and towns will not bear the cost of fires that are on state or federal land.

Whitney with FFSL has divided up the information and given it to area offices so they can work with their local governments.

Cameron – What is the best way for local governments to get info if they have questions?

The answer is to ask area people, not DNR headquarters. Cam and Whitney will work in getting that information out.

Whitney and Nate said that updated information will be forthcoming.

An online comment about talking points for a November meeting (Nov. 19th) of the Conference of Mayors (also for Salt Lake COunty mayors too).

Liza Simpson asked how many towns did we anticipate were going to express concerns at ULCT's Annual Convention?

The answer was some, but not all.

Jeff Starky – How are various acres affected by Federal and BLM acres that they have incorporated?

Tracy Dunford – those acres do not count on the risk assessment for cities and towns.

3: Fire Districts

Cameron – How do communities that are in a fire district meet their match? How does the district play into that?

Liza wanted to know what the conflict is. If Herriman wants to do $10K of chipping? Why wouldn't the district like that?

John Brems – A scenario of Herriman getting a fire truck from the district, and the others in the district wanting some credit for it since they put money towards it.

Tracy – Heard many of the concerns about districts, and they are valid. Tracy has talked with many districts to see how this might work? Some districts have cities and counties. But there doesn't seem to be much consensus on how it could work.

Cameron – some cities have delegated everything to the district, so they wonder if they should be on the hook at all.

Tracy – communities can turn on or off the authority they have given.

FFSL would like to maintain that those who are statutorily responsible are the ones who make the decisions, and that they decide on how that relationship works with the district.

Suggested the Iron county fire district idea where everyone in the district pools their match, and let the district decide where to expend the efforts.

The idea is to identify the areas that need the work, concentrate the efforts there, and then move on to the next area.

Liza – If the county match is $50K, and the city matches are $10K each, totaling $50K, how would the district handle it? Might want to have both county and cities on district board make those decisions?

Tracy – FFSL doesn't want to dictate, but allow it as an option. The idea would be to define it as broadly as possible in statute, and by the time it gets down to the areas, they can make those decisions on a case by case basis.

Cameron – what if not everyone in the district agrees to it? Would those who don't participate need to meet the match? How would they be covered? Would they have participate if they want to or not?

John Brems suggest that the districts make those decisions

Cameron – If the district fails to comply and is on the hook, do they have to go back to the cities to get it covered?

John – There are different issues and scenarios, but Herriman in their case would not be liable if there district failed.

Cameron – Is there a situation where the district defaults to the cities?

John – Districts are not created by cities/counties. They are their own entity.

Liza – so the DNR doesn't care who makes the match? The idea is to sit down in each area and figure it out?

Tracy – FFSL wants agreements with either the county or the cities, not the districts.

UFA – Would rather have the participation match liability than a fire bill.

South Davis – Some communities think the "in-kind match" is so small that it is not worth the effort, but if pooled like UFA, than that can be met without looking at the issue of efficiency.

Cameron shared an issue with police protection issue in some counties, and cautioned similar issues might occur in the smaller communities on the issue of fire protection.

Tracy – if it makes sense for a district, let them do it, if it makes sense for the cities, let them do it, give them the flexibility.

Liza – Giving that flexibility will make it much cleaner legislatively.

John and Cameron – Cities, Towns, Districts, or all, leave it available for them to decide.

Tracy – Still want agreement with the cities and counties.

Nate – Randy McKnight – county wide district by county wide tax, Nephi deeded all fire stuff to the district.

Tracy said he had chatted with Juab County, and that they are unique.

Mike Phillips – Cedar is not a district, but contracts outside with the county and communities

Tracy – it is the cities and counties that need to be contracted with

John said as long as the end result is the same he is fine, he just doesn't agree with Tracy on how we get there.

Cameron – wants to not get too far ahead, but asked when would code council or legislative research have language ready?

Brian Cottam – May not be that close

Liza – We don't want get ahead of language in detail, but suggested they were okay with a high level view

Cameron – not at where we need to be at this point for language

Tracy – want to deal with the nuts and bolts of this issue outside of code

Cameron said that we want to support concept. Maybe the next step is to start working on some language. Want language in front of fellow attorneys as soon as possible.

Tracy – said he will take on getting language rolling out to ULCT and attorneys

John – concern that between code and compact that the code always wins,

Brian –Have staffs hammer it out (FFSL, and Cameron and John Brems)

4:

Cameron – discussing the process of county and cities doing budgets.

Brian – When the bill is signed into law, it is law, and that anything done after that, but before it goes into effect, would count.

Cameron – who knows who is now participating, but give them a chance to demonstrate that they have been active

Liza - Future years look-back. Have some kind of consideration for what the life span of a certain action is (Example: buying a truck vs. chipping).

Brian – feels it would be good for the partners in the room to give it some thought. Doesn't just want a DNR driven solution.

A suggestion that have a look-back piece would be helpful in dealing with city councils

Cameron – not a look-back, but a carry over. Tie the purchase to a depreciation schedule for capital expenditures

Liza – what about redoing a CWPP?

Brian proposed that those be updated every 5 years.

UFA – large scale project that exceeds the match can be used beyond that year

Brian – still wants continual reduction in risk, and one big purchase that counts for a long period of time may not reduce that risk

Liza – maybe give a county/city a chance to increase how much it can count for on a case by case basis

Gary – Beneficial, because SLC is looking at doing a multi-year projects

5:

WUI Code discussion for next time because it could be a big issue in the legislature

Liza – Let it go this time (this session), and approach later. That would give some time to be strategic.

Cameron – Start on incentive side and not stick side

Brian – create a model ordinance?

Nate for Kevin Ward online – opportunity to adopt parts of the code, but deal breakers are often the defensible space

Next meeting - November 2nd at 1:00

Liza – check with Chad for a timeline on draft?

Brian – Compact and maybe a 1st draft of bill by next meeting