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**Rural Development, Agriculture, &  
Natural Resources Committee**

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**HB 1188**

**Brief Description:** Concerning rangeland fire protection associations.

**Sponsors:** Representatives Dent, Blake and Schmick.

**Brief Summary of Bill**

- Authorizes the creation of rangeland fire protection associations.
- Establishes criteria for the formation, operation, and membership of rangeland fire protection associations.
- Requires the Department of Natural Resources (DNR) to provide certain information to rangeland fire protection associations concerning the DNR's wildfire detection, prevention, and suppression activities.
- Authorizes both the DNR and fire protection service agencies to enter into agreements with rangeland fire protection associations for the detection, prevention, or suppression of wildfires.
- Directs the DNR to assist rangeland fire protection associations, to the extent practicable, in procuring funding, equipment, and training.
- Authorizes the DNR to develop recommendations concerning the formation, management, operation, and training for rangeland fire protection associations.

**Hearing Date:** 1/23/19

**Staff:** Robert Hatfield (786-7117).

**Background:**

Department of Natural Resources: Firefighting Authority and Responsibility.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Department of Natural Resources (DNR) is responsible for forest fire prevention and response on both state-owned and private forest land in Washington.

Forest land is defined as unimproved land with enough trees or flammable material to create a fire menace to life or property. Sagebrush and grass areas east of the Cascade mountains may be considered forest land if such lands are adjacent to, or intermingled with, tree growth. For protection purposes, forest land does not include structures.

For the purposes of forest firefighting and patrol, the DNR may cooperate with any agency of another state, the United States or a federal agency, or any county, town, corporation, person, or Indian tribe. Furthermore, the DNR may contract and enter into agreements with private corporations, including wildland fire suppression contractors, for the protection and development of forestlands within the state.

#### Forest Fire Protection Assessment.

Every owner of forestland in the state is required to provide adequate protection against the spread of wildfire during the fire season. Owners of forestland who fail to provide adequate fire protection must pay an annual assessment to the DNR in order for the DNR to provide such protection.

#### Fire Protection Service Agencies.

A fire protection service agency is defined as a public entity responsible for the provision of firefighting services, to include, among others, fire protection districts, regional fire protection service authorities, and the DNR.

#### Firefighting Services for Unprotected Lands.

Fire protection service agencies are not obligated to provide firefighting services to unprotected land, which is defined as improved property located outside the jurisdiction of a fire protection service agency. If firefighting services are provided to unprotected land and the property owners have not formed or annexed into a fire protection jurisdiction or contracted with a fire protection agency for firefighting services, the property owners must reimburse the agency that initiated the firefighting services for certain costs incurred.

#### Local Wildland Fire Liaison.

The Commissioner of Public Lands (Commissioner) must appoint a local wildland fire liaison to represent the interests and concerns of landowners and the general public during any DNR fire suppression activities. The role of the local wildland fire liaison is, among other things, to advise the Commissioner on landowner concerns and the availability of local fire suppression assets.

### **Summary of Bill:**

#### Rangeland Fire Protection Association – Definition.

A rangeland fire protection association (RFPA) is defined as a nonprofit or unincorporated association that has entered into an agreement for the detection, prevention, or suppression of wildfires with the State of Washington or with any agency of the State of Washington.

### Rangeland Fire Protection Association – Formation.

Persons engaged in the detection, prevention, and suppression of wildfires outside the jurisdiction of a local or regional fire protection agency may join together as an RFPA. Such an association must include in its name the term "rangeland fire protection association" and may be structured as a nonprofit association or as an unincorporated association. An RFPA must identify the physical boundaries within which it will operate, and it must carry liability insurance.

### Rangeland Fire Protection Association – Membership.

A member of an RFPA must:

- be 18 years of age or older;
- use and maintain personal protective equipment that meets certain published standards while engaged in fire suppression activities; and
- have achieved a basic level of wildland fire training.

The recommended training for an RFPA member is training that achieves the level of Wildland Firefighter 2, as specified in the published standards of the National Wildfire Coordinating Group.

### Role of Local Wildland Fire Liaison.

The Department of Natural Resources (DNR) local wildland fire liaison must provide information to RFPA's concerning the DNR's wildfire detection, prevention, and suppression activities taking place within the boundaries of the RFPA.

### Role of the Department of Natural Resources.

The DNR may enter into an agreement with an RFPA for the detection, prevention, or suppression of fires. The DNR may negotiate the form and content of the written agreement with an RFPA and may determine the safety, administrative, and training requirements that must be met in order for the RFPA to enter into a written agreement. Prior to entering into an agreement with an RFPA, and annually thereafter, the DNR must inspect the RFPA with respect to its governance and management structure, the adequacy of its liability insurance, and the training of all RFPA personnel.

The DNR must assist, to the extent practicable, an RFPA with which it has signed an agreement in procuring funding, equipment, and training for the RFPA.

The DNR may develop and publish recommendations concerning RFPA formation, management, operation, and training of members.

### Role of Fire Protection Service Agencies.

A fire protection service agency may enter into an agreement with an RFPA for the detection, prevention, or suppression of fires. A fire protection service agency may negotiate the form and content of the written agreement with an RFPA and may determine the safety, administrative, and training requirements that must be met in order for the RFPA to enter into a written agreement.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.