



Date: June 25, 2024

Honorable Mayor and Council Members:

Author and title: James Blattler, Emergency Services Coordinator

Title: **Wildland Protection Agreement 2024-2025**

Jen Callaway, Town Manager

Recommended Action: Adopt Resolution 2024-47 authorizing the Town Manager to execute jointly with the Truckee Fire Protection District the Wildland Fire Agreement with CAL FIRE for Fiscal Year 2024-2025 to provide wildland firefighting resources within the Town of Truckee in the amount of \$412,578.12.

Discussion:

The Town of Truckee Office of Emergency Services (OES) has taken over the responsibility for processing the CAL FIRE Wildland Protection Agreement (WPA). This contract has been in existence since the incorporation of the Town in 1993. The contract was originally used to meet condition #21 of the LAFCo Incorporation Documents requiring the Town to pay Truckee Fire Protection District (TFPD) for wildland fire protection, which reads:

Wildland Fire Mitigation: The new Town shall pay to the Truckee Fire Protection District an annual wildland fire protection fee in the amount of \$112,000 and the fire district, shall, in exchange, agree to assume certain responsibilities for wildland fire prevention and suppression within the boundaries of the Town as set forth in the letter attached as Exhibit C" hereto and made a part hereof. Said fee may be adjusted from time to time through negotiations between the Town and the fire district, to reflect changes in cost and desired service levels.

Prior to incorporation, CAL FIRE (then CDF) had responsibility for all wildlands in the unincorporated areas of the State or what is commonly referenced as State Responsibility Area (SRA). While the LAFCo Financial Analysis and Recommendations are somewhat convoluted in their reasoning for this requirement, several letters were written to the LAFCo committee by then Fire Chief Jimmy Osburn stating a need for the Town to pay TFPD for wildland protection. While the original condition was for the Town to pay TFPD \$112,000 a year to fund an engine and 4 firefighters during the months of June to November, the WPA is much broader in scope and coverage. It is worth noting that it appears the Town has never paid TFPD directly for wildland fire protection as recommended by LAFCO, but rather the Town has always paid and contracted with CAL FIRE (originally CDF) for wildland protection.

This agreement is often seen as an "insurance plan" as the agreement seeks to cover the most at-risk areas of the Town with the highest costs as it includes not just the initial attack costs, but all the costs associated with the suppression of a wildland fire, even if the fire moves onto other lands outside the Town limits such as USFS lands or SRA.

When OES took over managing this contract in 2024, staff sought to better understand the how and why of this contract. The original per acre charge in 1993 was approximately \$6.00 with an 11.13% Administrative fee on the entire acreage bringing the total cost to \$104,551.10, which was just below the

\$112,000 LAFCo determined the Town should reimburse TFPD for wildland protection. This covered approximately 15,680 acres or just over 2/3 of the Town according to the WPA map from 1994 (this is the first contract OES could locate in Town records, however the Staff Report for the 1994 contract notes there was a 1993 contract). Since that time the amount of acreage has fluctuated, primarily it appears due to budget needs, ranging from a low of 2,700 acres to a high of 11,000 acres. Since 2018 the acreage was approximately 6,800 acres, roughly 1/3 of the Town. The cost in 2023 was \$277,627 which included an administrative fee of 12.01% and a cost per acre of \$36.45. The per acre cost determined by CAL FIRE is based on a 10-year rolling average and currently, we are still paying for the extreme years of 2017-2022 in the average. For 2024-2025, the cost per acre for the WPA base rate is \$42.58 per acre with an administrative rate of 12.10% for a total protection rate of \$47.73 per acre. If no modifications to the acreage occurred, the resulting annual fee would be \$324,564.

As a part of the 2024 contract review, OES worked with TFPD and CAL FIRE to determine the best way to cover the Town within current budgetary constraints. Staff used a collaborative approach, meeting several times and reviewing proposed maps and coverage areas. The Town's GIS analyst, Drew Jack, was instrumental in drawing these maps as numerous renditions were developed. While the title of the contract is "Wildland Protection Agreement" CAL FIRE recommended that the mapped area (area "insured" with CAL FIRE responsibility) should cover the acreage that makes the most sense from a cost-to-suppress standpoint. CAL FIRE stated protecting structures from a wildfire would bring higher costs than covering wildland acreage due to higher resource and logistic demands, therefore suggesting that their coverage area should include more structures. This is true even when accounting for aerial retardant drops and helicopter work on a wildland fire. The consensus among the agencies involved in the contract negotiations is the Agency Having Jurisdiction (AHJ) where the origin (location) of the fire first starts is responsible for all fire suppression costs. While there are lingering questions about whether a wildland fire inside the Town limits is the responsibility of the Town or TFPD (this needs to be determined going forward as it has been noted in several previous Staff Reports), State law is clear that CAL FIRE does not have responsibility for suppression costs of a fire that starts inside the Town limits after incorporation. This is true whether a fire starts in a residential area and moves to a wildland area or starts in a wildland area and moves into a residential area. It was also determined that the AHJ inside the Town limits is responsible for suppression costs on all state lands (in our case Donner Memorial State Park and some Department of Fish and Wildlife lands) and USFS lands. These areas substantially increase wildland acreage, but also carry some of the highest risk in the Town limits.

The WPA and map for 2024-2025 (Attachment B) has the acreage increased from approximately 6,800 (2023) to 8,644 acres as it attempts to strike a balance between covering the highest cost suppression areas and covering strictly wildland areas. As a part of this process, OES also worked with TFPD to map the areas in Town limits with the highest fire severity, while also realizing that human-caused ignitions account for almost 85% to 90% of all wildland fires (NPS and California studies respectively). CAL FIRE also requires there be a limited number of polygons within the WPA boundaries, that each polygon touch a State Responsibility (SRA) area along the border of the Town, and there be no "islands", or polygons, that do not touch SRA within Town limits. In meeting with the CAL FIRE Nevada Yuba Placer Unit Chief, Brian Estes, a recommendation was made to cover the USFS land to the north side of the Town which has not historically been covered by the WPA. The concern was due to a fire starting in these areas would likely require a large number of resources as they are in areas with higher fire severity indexes.

All parties in the negotiations worked collaboratively to reach the best possible agreement. Parties did agree that moving forward covering as much of the land inside the Town boundaries would be beneficial for both CAL FIRE as it eases dispatching responsibility (which CAL FIRE handles for all local fire agencies) and for the AHJ as it ensures the full force of a CAL FIRE response to a fire starting in the wildlands or threatening the wildlands while not subjecting the AHJ to the full suppression cost of a fire, but rather the cost of the WPA.

Priority:

<input type="checkbox"/> Enhanced Communication	<input type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input type="checkbox"/> Infrastructure Investment	<input checked="" type="checkbox"/> Emergency and Wildfire Preparedness	<input type="checkbox"/> Core Service

Fiscal Impact: The total cost of the proposed contract as mapped is \$412,578.12. This includes an increase from fiscal year 2023-24 of 16.9% per acre as dictated legislatively annually by CAL FIRE and based on the 10-year rolling average of firefighting costs. It also includes increased acres protected (from 6,802 to 8,644 acres) to increase protection areas. The original budget proposal for 2024-2025 included funding the contract at \$324,564. Staff will return in the 1st quarter of 2024-2025 with a budget amendment for the difference.

Public Communication: None beyond this staff report and a website posting regarding the proposed recommendation.

Attachments:

Attachment A: Resolution 2024-47

Attachment B: Wildland Protection Map 2024-2025