

Part 1 General Provisions

65A-8-101 Division responsibilities for fire management and the conservation of forest, watershed, and other lands -- Reciprocal agreements for fire protection.

- (1) The division, in consultation with local authorities, shall determine and execute the best method for protecting private and public property by:
 - (a) except as provided by Subsection (1)(d), preventing, preparing for, or mitigating the origin and spread of fire on nonfederal forest, range, watershed, or wildland urban interface land in the state;
 - (b) encouraging a landowner to conserve, protect, and manage forest or other land throughout the state;
 - (c) taking action the division considers appropriate to manage wildland fire and protect life and property on nonfederal forest, range, watershed, or wildland urban interface land within the state; and
 - (d) implementing a limited fire suppression strategy, including allowing a fire to burn with limited or modified suppression, if the division determines that the strategy is appropriate for a specific area or circumstance.
- (2) The division may:
 - (a) enter into an agreement with a public or private agency or individual:
 - (i) for the purpose of protecting, managing, or rehabilitating land owned or managed by the agency or individual; and
 - (ii) establishing a predetermined fire suppression plan, including a limited fire suppression strategy, for a specific fire management area; and
 - (b) enter into a reciprocal agreement with a fire protection organization, including a federal agency, to provide fire protection for land, and an improvement on land, for which the organization normally provides fire protection.

Amended by Chapter 174, 2016 General Session

65A-8-102 State forester.

- (1) There is created the position of state forester to carry out the provisions of this chapter.
- (2) The state forester shall be a graduate of an accredited school of forestry, technically and professionally competent, and experienced in administration.
- (3) The state forester shall be responsible to the director of the division.
- (4) In all matters pertaining to forestry and fire control in which the state recognizes a responsibility, the state forester shall be the official representative of the state.

Renumbered and Amended by Chapter 136, 2007 General Session

65A-8-103 Forestry and fire control funds.

- (1) The division shall use money available to it to meet the costs of:
 - (a) managing forest, range, watershed, and wildland urban interface fires;
 - (b) managing insect and disease epidemics;
 - (c) rehabilitating or reforesting nonfederal forest, range, and watershed lands;
 - (d) promoting wildfire preparedness, wildfire mitigation, and wildfire prevention;

- (e) restoring and maintaining landscapes ensuring landscapes across the state are resilient to wildfire-related disturbances, in accordance with fire management objectives;
 - (f) creating fire-adapted communities, ensuring that human populations and infrastructure can withstand a wildfire without loss of life or property;
 - (g) improving wildfire response, ensuring that all political subdivisions can participate in making and implementing safe, effective, and efficient risk-based wildfire management decisions;
 - (h) reducing risks to wildlife such as the greater sage grouse; and
 - (i) carrying on the purposes of this chapter.
- (2) All money available to the division to meet the costs of Subsections (1)(a) through (i) is nonlapsing and available to the division until expended.
- (3)
- (a) The collection and disbursement of all money made available to the division shall be in accordance with the rules of the Division of Finance.
 - (b) Money collected by the division from fees, rentals, sales, contributions, reimbursements, and other such sources shall be deposited in the appropriate account.

Amended by Chapter 174, 2016 General Session

65A-8-104 Leaf-It-To-Us Children's Crusade for Trees program created -- Purpose -- Matching funds.

- (1) As used in this section, "program" means the Leaf-It-To-Us Children's Crusade for Trees program.
- (2)
- (a) The Leaf-It-To-Us Children's Crusade for Trees program is created within the division.
 - (b) The purpose of the program is to provide matching funds for the planting of trees on public lands or alongside curbs.
- (3)
- (a) Any student group may submit an application to the division for funds available through the program.
 - (b) To be eligible for the funds, the student group must provide an equal amount of money.
 - (c) Both the program funds and the student group's funds shall be used to plant trees on public lands or alongside curbs.
- (4) The division shall make rules to administer the program and place emphasis on post-planting care.

Renumbered and Amended by Chapter 136, 2007 General Session

65A-8-105 Urban and community forestry program.

- (1) An urban and community forestry program is created within the division.
- (2) The purpose of the program is to encourage the planting and maintenance of trees within municipalities and unincorporated communities.
- (3) The division may:
- (a) advise and assist municipalities, counties, and other public and private entities in developing and coordinating policies, programs, and activities promoting urban and community forestry;
 - (b) receive, by following the procedures and requirements of Title 63J, Chapter 5, Federal Funds Procedures Act, federal funds for the urban and community forestry program; and
 - (c) provide grants to municipalities and counties for urban and community forestry programs and cooperative projects.

(4) The division shall:

- (a) develop a public education program to inform tree care professionals and citizens of the hazards involved with the planting of new trees and the maintenance of existing trees near overhead power lines and highways; and
- (b) develop and implement a program of public awareness to inform citizens about the benefits of planting trees in urban areas and how to maintain trees.

Amended by Chapter 382, 2008 General Session