

**WILDFIRE PROTECTION AMENDMENTS ON STATE
PROPERTY**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends the duties of the Division of Forestry, Fire, and State Lands to include preventing the origin and spread of fire on lands leased to the Utah National Guard.

Highlighted Provisions:

This bill:

- ▶ amends the duties of the Division of Forestry, Fire, and State Lands to include preventing the origin and spread of fire on federal lands leased to the Utah National Guard for military use;
- ▶ requires the division to cooperate with the Utah National Guard for the control of wildland fire and to protect life and property on federal lands leased to the Utah National Guard for military use; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

65A-8-101, as last amended by Laws of Utah 2008, Chapter 20



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29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **65A-8-101** is amended to read:

31 **65A-8-101. Division responsibilities for fire control and the preservation of**
32 **forest, watershed, and other lands -- Reciprocal agreements for fire protection.**

33 (1) The division shall determine and execute the best method for protecting private and
34 public property by:

35 (a) except as provided by Subsection (1)(e), preventing the origin and spread of fire on:

36 (i) nonfederal forest, range, or watershed land in an unincorporated area of the state;

37 and

38 (ii) federal lands leased to the Utah National Guard for exclusive military use;

39 (b) protecting a nonfederal forest or watershed area using conservation principles;

40 (c) encouraging a private landowner to preserve, protect, and manage forest or other
41 land throughout the state;

42 (d) taking action the division considers appropriate to control wildland fire and protect
43 life and property on:

44 (i) the nonfederal forest, range, or watershed land within an unincorporated area of the
45 state; and

46 (ii) federal lands leased to the Utah National Guard for exclusive military use, in
47 cooperation with the Utah National Guard; and

48 (e) implementing a limited fire suppression strategy, including allowing a fire to burn
49 with limited or modified suppression, if the division determines that the strategy is appropriate
50 for a specific area or circumstance.

51 (2) The division may:

52 (a) enter into an agreement with a public or private agency or individual:

53 (i) for the purpose of protecting, managing, or rehabilitating land owned or managed by
54 the agency or individual; and

55 (ii) establishing a predetermined fire suppression plan, including a limited fire
56 suppression strategy, for a specific fire management area; and

57 (b) enter into a reciprocal agreement with a fire protection organization, including a
58 federal agency, to provide fire protection for land and an improvement for which the

59 organization normally provides fire protection.

Legislative Review Note
as of **1-27-11 4:12 PM**

Office of Legislative Research and General Counsel