H-2049.1

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**HOUSE BILL 1891**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Representatives Dent, Griffey, Graham, Corry, Hoff, Callan, and Dufault

AN ACT Relating to a rangeland fire protection association pilot project; adding new sections to chapter 76.04 RCW; creating a new section; and providing expiration dates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) The legislature finds that ranchers, farmers, rural property owners, and others who live and work in the rural areas of our state that are most susceptible to the threat of wildfire are uniquely situated, by virtue of their knowledge of the land and proximity to wildfires, to provide critical initial attack firefighting capabilities.

(2) Rangeland fire protection associations have the potential to offer a coordinated approach to wildland fire suppression by taking advantage of the quick initial attack capabilities of those already out on the land, addressing the desire of those living and working in wildland areas to be active participants in protecting the places where they live and work, ensuring that all those engaged in the wildland firefighting effort have the necessary training, equipment, and communications capabilities, and supporting the state's efforts to provide a complete, coordinated approach to wildland fire prevention, detection, and suppression.

(3) Accordingly, it is the intent of the legislature that the department of natural resources implement a five-year pilot project in three locations in eastern Washington in order to assess the effectiveness of rangeland fire protection associations in Washington.

NEW SECTION. **Sec.**  A new section is added to chapter 76.04 RCW to read as follows:

(1) The department shall conduct a rangeland fire protection association pilot project in order to better assess the measures needed to ensure the safe and effective operation of rangeland fire protection associations. The pilot project must be conducted in the locations specified in subsection (4) of this section. The pilot project must be operational by the beginning of the calendar year 2023 fire season and must conclude at the end of the calendar year 2026 fire season.

(2) The operations of rangeland fire protection associations must comply with the requirements established in sections 3 through 5 of this act. In addition, in implementing this pilot project, the department:

(a) May develop and publish recommendations concerning the formation, management, operation, and training of members of a rangeland fire protection association;

(b) Shall, prior to entering into an agreement with a rangeland fire protection association, and annually thereafter, review and inspect the rangeland fire protection association for the following:

(i) The governance and management structure of the rangeland fire protection association;

(ii) The adequacy of liability insurance; and

(iii) The training of all rangeland fire protection association personnel; and

(c) May enter into agreements with fire protection districts and regional fire protection service authorities within the pilot project area described in subsection (4) of this section, in order to implement a rangeland fire protection firefighting program utilizing volunteer firefighters.

(3) A rangeland fire protection association operating as part of the pilot project authorized by this act may enter into agreements with fire protection service agencies for the detection, prevention, or suppression of fires. Subject to the approval of the department, the fire protection service agency may negotiate the form and content of the agreement, and may determine the safety, administrative, and training requirements that must be met in order for the rangeland fire protection association to enter into an agreement.

(4) The department shall conduct the rangeland fire protection association pilot project in three separate areas east of the crest of the Cascade mountains.

(5) The department shall submit a report on the pilot project to the appropriate committees of the legislature at the conclusion of the pilot project. The report is due by November 15, 2026. The report must address, at a minimum, the following elements:

(a) Safety;

(b) Training;

(c) Funding;

(d) Governance;

(e) Operations and effectiveness; and

(f) Communication and coordination with other fire protection service agencies.

(6) This section expires June 30, 2027.

NEW SECTION. **Sec.**  A new section is added to chapter 76.04 RCW to read as follows:

(1) The definitions in this subsection apply throughout sections 2 through 5 of this act unless the context clearly requires otherwise.

(a) "Member" means an individual who has been appointed by a rangeland fire protection association to perform fire detection, prevention, and suppression services.

(b) "Rangeland fire protection association" means a nonprofit corporation or nonprofit unincorporated association that has entered into an agreement for the detection, prevention, or suppression of wildfires with any agency of the state of Washington or any fire protection service agency.

(2) This section applies only to rangeland fire protection associations operating pursuant to the pilot project established in section 2 of this act. No person may form or participate in a rangeland fire protection association except pursuant to the pilot project established in section 2 of this act.

(3) This section expires June 30, 2027.

NEW SECTION. **Sec.**  A new section is added to chapter 76.04 RCW to read as follows:

(1) Persons engaged in the detection, prevention, and suppression of wildfires outside of the boundaries of a local, regional, or state fire protection service agency may act together for the mutual benefit of the members and their communities in nonprofit associations or unincorporated associations. Such an association must include in its name "rangeland fire protection association." Such an association is authorized to enter into agreements with fire protection service agencies, as defined in RCW 52.12.160, for the detection, prevention, or suppression of wildfires.

(2) The rangeland fire protection association shall identify the physical boundaries within which it will provide detection, prevention, and suppression of wildfire services and resources. The service boundaries of a rangeland fire protection association may be adjacent to department protected lands, as defined in RCW 76.04.005. The operations of a rangeland fire protection association may, on an occasional and temporary basis, extend beyond its boundaries and onto department protected lands for the purpose of attempting to extinguish or control a wildland fire consistent with RCW 76.04.770.

(3) The rangeland fire protection association must have liability insurance.

(4) The provisions of this chapter do not require a person or a person's agent to be a member of a rangeland fire protection association in order to suppress a fire occurring on the person's property or fires that pose a threat to the person's property.

(5) This section applies only to rangeland fire protection associations operating pursuant to the pilot project established in section 2 of this act. No person may form or participate in a rangeland fire protection association except pursuant to the pilot project established in section 2 of this act.

(6) This section expires June 30, 2027.

NEW SECTION. **Sec.**  A new section is added to chapter 76.04 RCW to read as follows:

(1) Rangeland fire protection association members must:

(a) Be at least 18 years old;

(b) During all fire suppression activities, use and maintain personal protective equipment that meets published standards of the Washington state department of natural resources or United States bureau of land management as appropriate during wildfire suppression activities; and

(c) Have achieved a basic level of wildland fire training. The recommended training for a rangeland fire protection association member participating in wildland fire suppression is training that achieves the level of wildland firefighter 2, as specified in the published standards of the national wildfire coordinating group.

(2) The provisions of RCW 76.04.770 apply to members of a rangeland fire protection association.

(3) This section applies only to rangeland fire protection associations operating pursuant to the pilot project established in section 2 of this act. No person may form or participate in a rangeland fire protection association except pursuant to the pilot project established in section 2 of this act.

(4) This section expires June 30, 2027.

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