



Northern Rockies Coordinating Group

Federal, State, and Local Government Agencies Working Together In Emergency Response Management

Date: February 22, 2019 NRCG Memo # 2019-002
To: Northern Rockies Interagency Wildland Fire Community
From: Chair, Northern Rockies Coordinating Group
Subject: NRCG 2019 Guidelines for Private Firefighting Resources

*Firefighting resources hired by private individuals, insurance companies, industry, or corporations are hereafter referred to as **private resources**. Private resources are resources neither contracted/hired by the Authority Having Jurisdiction (AHJ) nor ordered by an AHJ, for the incident, through an interagency dispatch or coordination center.*

The following approved guidelines serve as a tool for the Authority Having Jurisdiction (AHJ) or Incident Commander (IC) when private resources hired by property owners, insurance companies, or industry are present on a wildland fire incident. These are guidelines and actual implementation remains the individual responsibility of the AHJ and/or IC. Private resources, when engaged in preparing and protecting homes threatened by wildfire, must coordinate with the incident management team (IMT) or the law enforcement agency with jurisdiction, for access to and operation within evacuated areas.

The IC may integrate private resources into incident operations if the private resources have legal authority and jurisdiction to operate, its members are fully qualified for the positions to which they are assigned, and the private resources maintains an existing working relationship with the AHJ/participating fire departments.

Guidelines for working with private resources hired by property owners, insurance companies, or industry on wildland fire incidents:

1. All private resources must respect the decision of the AHJ/IC and the Sheriff or law enforcement agency with jurisdiction who are, by law, the final decision makers for command, control, risk management/safety and liability on their assigned incident.





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2. The AHJ/IC, as well as the law enforcement agency with jurisdiction, have complete authority and legal right to control access to an emergency incident. Private resources are not first responders and are subject to the directions and limits set forth by these public safety agency personnel. The private resource has no claim or stake in incident command and will have no role in unified command.
3. Private resources shall provide a representative, reporting to the Incident Commander or an IMT Liaison Officer, who can communicate directly with the private resources.
 - a) The representative of private resources shall attend all planning and operational briefings and should be available to represent the private entity regarding personnel qualifications and other matters of qualification, certification, capabilities, and conduct.
 - b) Private resources are responsible to communicate their location and movements through the private resource representative to the IC, Liaison Officer, or other IMT representative assigned by the IC.
 - c) Private resources engaged in burning operations are subject to state laws pertaining to arson, do not enjoy the protections of public AHJs, and assume all legal liability for burning operations they conduct. Private resources must inform the IC, or other IMT representative assigned in advance by the IC, of any burning operations they choose to conduct prior to ignition.
 - d) All burning operations must be coordinated with the IC, or other IMT representative assigned by the IC, and arranged in advance.





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4. Private resources shall check in with the IC, or other IMT representative assigned by the IC, prior to deployment within an emergency area. IMTs need to maintain situational awareness regarding private resources and their compliance with evacuation orders.
5. A message should be included in the Incident Action Plan (IAP) and briefed at operational briefings regarding known private resource activity on or near the incident.
6. Private resources must be able to monitor incident radio traffic, so they can maintain situational awareness and know when the IMT or law enforcement agency with jurisdiction is evacuating or restricting access to an area, but refrain from using incident radio frequencies unless there is a threat to life or property.
7. Private resources should focus their activities on treatment activities on and/or privately held values-at-risk prior to the fire's arrival and prior to road or area closure.
 - a) If the private resource does not evacuate the area when ordered, the private resource assumes full responsibility for the safety of the private resource's personnel and equipment.
8. The law enforcement agency with jurisdiction must authorize access to any property under either evacuation or where access has been restricted.
9. Resources contracted by entities of local, state or federal government may not simultaneously contract with an insurance carrier or participate/function in a contractual relationship with local landowners while mobilized on the incident.
10. All private resources should be identified as *private* on the outside of the vehicle to ensure that they do not appear to be a public fire resource.
11. The AHJ or IC will communicate to the public a clear understanding differentiating the roles of government, contract, and private resources at any community meetings held regarding wildland fire incidents.





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12. All private resources working on behalf of the insurance industry financial interests, or behalf of insured property owners, shall provide the IC, or other IMT representative assigned by the IC, with authorization from the insurance carrier listing the names of property owners and addresses of the insured properties to which they are providing service.

Mike DeGrosky
Chair, Northern Rockies Coordinating Group (NRCG)

