



# Proposal

**Date:** March 19, 2013

**Subcommittee:** WFEC Governance Task Group

**Description of Issue or Assignment:** WFLC, WFEC, and NWCG Governance Documents Ready for WFEC Review and Subsequent Decision Prior to WFLC Presentation

## **Discussion of Proposed Recommendation(s):**

The task group has completed a proposed WFLC charter, WFEC draft charter to aid future discussions on WFEC charter issues, and a reformulated NWCG charter to aid future discussion with NWCG MOU signatories. An intergovernmental governance diagram has been created.

-A WFLC charter has been developed to complement the existing MOU.

-WFEC has an updated charter effective March, 2013. However, additional issues remain that will require discussion.

-NWCG's MOU has been extended through October, 2013. The extension was done to allow time for discussion and decision on NWCG executive board (EB) membership. NWCG discussions have concluded regarding membership and interaction with MOU signatories is needed to affect a change in membership that can be reflected in the charter.

-The diagram is meant to display relationships between organized groups. It is not meant to depict supervision or oversight of employees or groups.

## **Identify Considerations:**

The WFEC should consider the following in their discussion:

1. WFLC operates under an MOU. Creation of a charter would clarify roles and responsibilities in association with other intergovernmental and federally centric governance bodies. It is not needed for business operations as much as it's needed to clarify relationships with other groups.
  - a. We suggest a couple of business processes for consideration: creation of a vice-chair to run meetings in the absence of a chair, and two year terms to maintain continuity for the chair and vice-chair. We also suggest consideration that the vice chair come from the larger membership body rather than only federal members for greater participation across the group.
2. WFEC's charter has been updated to meet FACA rules for two year periodicity. However, meeting this deadline left unanswered questions regarding state representation in WFEC membership, as well as omissions on agency authority.



## Proposal

We recommend bringing the topic of WFEC membership and other charter edits back for discussion in an administrative meeting during the spring of 2013.

3. The NWCG EB met with IAFC's about their business and potential membership in NWCG at the January, 2013 business meeting. The EB discussed a way forward allowing for IAFC membership incorporation at the March, 2013 meeting. Interaction with NWCG MOU signatories is needed to obtain their input on incorporation of IAFC into the MOU and associated charter. A delegation of authority or other representation memo should be obtained by IAFC that provides approval to represent local government. This delegation would match what has been done for NASF and ITC representation. The NWCG EB is available to undertake work editing the MOU for the document signatories.

### **Rationale for Recommendation(s):**

The proposed WFLC charter would clarify relationships between governance groups. Work remains on WFEC's charter that could be addressed through discussions at a spring 2013 administrative meeting. NWCG's MOU would need to be edited prior to charter edits to incorporate EB membership changes.

Task group members are comfortable with current results and need input followed by subsequent approval of the package in order to initiate discussions at the next WFLC meeting.

### **Recommendation(s):**

- WFEC should accept the proposed draft charter for WFLC.
- WFEC should schedule time spring 2013 for discussions at an administrative meeting addressing the remaining WFEC issues associated with the charter.
- WFEC should ask that fire executives from the federal, NASF, and ITC arenas discuss incorporation of IAFC into NWCG's EB under the NWCG MOU. A delegation from authoritative bodies such as NACO or NLC for IAFC's representation is needed.
- WFEC should accept the intergovernmental diagram depicting relationships between organized groups.

### **Decision Method used:**

- Task Group Consensus has been achieved
- Modified Consensus (explain, i.e. majority, super-majority)
- Chair Decision

### **Contact Information:**

William Kaage  
WFEC Governance task group representative and NWCG member



# Proposal

Prepared by: William Kaage, WFEC member

## **WFEC Decision:**

- WFEC Approves
- WFEC Approves with Modifications (not required to resubmit for WFEC approval)
- Need More Information (required to come back to WFEC for approval)
- WFEC Does Not Approve

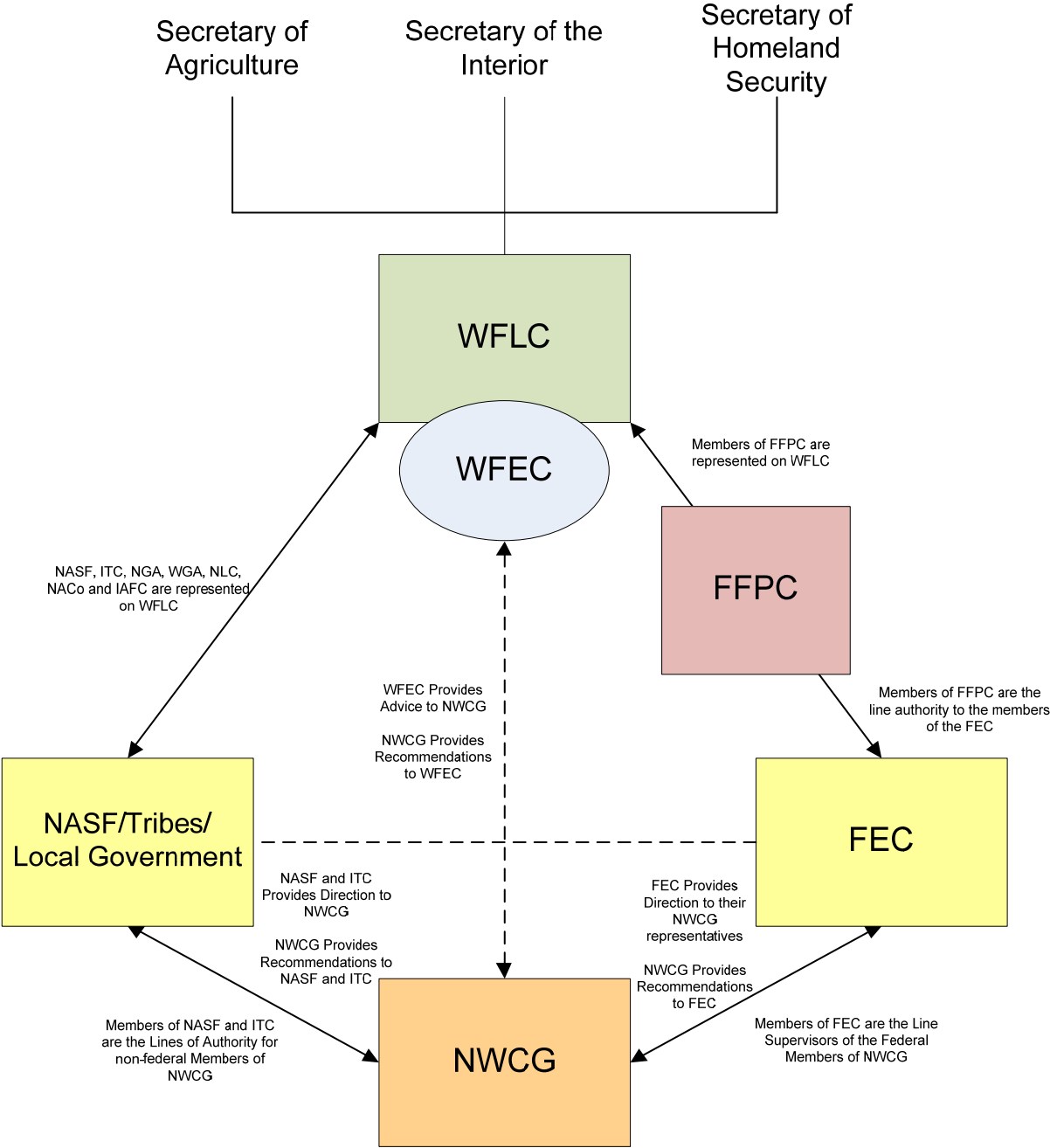
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Shari Eckhoff, DFO

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Date

*Notes regarding decision:*



----- Lines of Communication

\_\_\_\_\_ Lines of Authority

# WFEC Inter-governance Document Summary of Comments

**March 6, 2013**

Issue	From	Discussion Information	Action
1. Minor edits to contents of WFLC and NWCG charters.	Erickson	<ul style="list-style-type: none"> <li>Standardize font and size</li> <li>Incorporate minor editorial changes (i.e. Federal to federal)</li> </ul>	Changes made in documents
2. WFLC charter signature	Erickson	<ul style="list-style-type: none"> <li>Jim asks who signs charter – charter is proposed to coincide with WFLC MOU. Proposal is to suggest to WFLC to formulate charter.</li> </ul>	WFEC discussion on signatures. See comments from Bidaburu below.
3. WFEC charter questions	Erickson	<ul style="list-style-type: none"> <li>Addition of BIA and NPS authorities</li> </ul>	Added and highlighted in yellow. Question for phase two revision of 2013 WFEC charter.
4. WFEC Section 5 reporting description	Erickson	<ul style="list-style-type: none"> <li>Description of those who make up WFLC membership in reporting section duplicative of membership roster in Section 12</li> </ul>	Highlighted in yellow with comment included. Question for phase two revision of 2013 WFEC charter.
5. NWCG Purpose Statement	Erickson	<ul style="list-style-type: none"> <li>Why was second bullet on communication dropped</li> </ul>	Not addressed in document. Dropped due to confusion it was causing with senior DOI and FS leadership. Determined little value added as NWCG membership would deliberate on topics anyway.
6. NWCG Governance - Clarify relationship to iFEC	Erickson	<ul style="list-style-type: none"> <li>Should iFEC be added to the list of governance bodies related to NWCG</li> </ul>	Did not address as NWCG is not accountable to iFEC. DOI represented via FEC membership.
7. NWCG Chair – two year term rotation	Erickson	<ul style="list-style-type: none"> <li>Clarify starting year for two year term</li> </ul>	Following current practice, chair role begins on an even year cycle.
8. NWCG signatories	Erickson	<ul style="list-style-type: none"> <li>Update ITC President signature</li> </ul>	Change incorporated
9. FACA extension deadline	MacDonald	<ul style="list-style-type: none"> <li>Per FACA rules Section 14, did we meet our deadline for resubmission</li> </ul>	Eckhoff reports in the affirmative
10. NWCG signatories	Carlile	<ul style="list-style-type: none"> <li>Update ITC President signature</li> </ul>	Change incorporated
11. NWCG EB membership	MacDonald	<ul style="list-style-type: none"> <li>NWCG EB decision on IAFC membership is needed</li> </ul>	Bring forward for concluding discussion and decision at March NWCG meeting with subsequent discussion at WFEC
12. NWCG Purpose Statement	Schlobohm	<ul style="list-style-type: none"> <li>Clarify role of NWCG EB as collective approver of standards et al for subsequent adoption as policy by member agencies</li> </ul>	Added the word “establish” into the first purpose statement
13. NWCG Purpose Statement	Schlobohm	<ul style="list-style-type: none"> <li>Why was second bullet on communication dropped</li> </ul>	Not addressed in document. Dropped due to confusion it was causing with senior DOI and FS leadership. Determined little value added as NWCG membership would deliberate on topics anyway.

14. NWCG Organization	Schlobohm	<ul style="list-style-type: none"> <li>Clarify role of committees and other subgroups in proposing, developing, and maintaining standards et al in order to be consistent with NWCG purpose statement</li> </ul>	Change incorporated
15. Clarify NWCG governance description	Schlobohm	<ul style="list-style-type: none"> <li>Removed duplicative language with purpose statement</li> </ul>	Change incorporated
16. NWCG organization support	Schlobohm	<ul style="list-style-type: none"> <li>Reference to NWCG staff is incomplete description. Questions value addition. Suggested removal.</li> </ul>	Change incorporated
17. WFLC Charter signatories	Bidaburu	<ul style="list-style-type: none"> <li>Validate if DHS needs to be shown on intergovernmental diagram</li> </ul>	Discussion topic for task group to answer prior to WFEC discussion
18. WFLC Functions	Bidaburu	<ul style="list-style-type: none"> <li>Requests addition of DHS into description "providing advice" along with DOA and DOI</li> <li>Requests addition of DHS at top of governance diagram</li> </ul>	Incorporated changes into WFLC charter and Intergovernmental diagram
19. NWCG charter revision timing	Gould	<ul style="list-style-type: none"> <li>Questions if charter should be revised prior to any revisions to MOU</li> </ul>	Technically correct. This charter revision is meant to fit within existing MOU. Subsequent MOU review prior to October 2014 lapse date would determine need for followup charter revision
20. Unclear role of non-federal partners in all levels of intergovernmental charters	Walker	<ul style="list-style-type: none"> <li>Seeking clarification of non-federal partners amongst the three intergovernmental charters and their potential relationship to WFEC's CSSC</li> </ul>	Discuss need for follow-up with task group. Not sure CSSC white paper and roles/responsibilities cross walk was sufficient
21. NWCG charter – reference to WFEC	MacDonald	<ul style="list-style-type: none"> <li>NWCG referenced in WFEC charter. Should relationship be reciprocated in NWCG charter as WFEC contains NWCG membership</li> </ul>	Insert language in NWCG charter for taskgroup discussion
22. NWCG charter - clarify use of term working team	MacDonald	<ul style="list-style-type: none"> <li>Clarify use of term "working team" under governance</li> </ul>	Term removed
23. NWCG charter – organization support	MacDonald	<ul style="list-style-type: none"> <li>Remove "our" from description of PMU support organization</li> </ul>	Phrase removed



## Charter

### Name

The name of this group is the Wildland Fire Leadership Council, hereinafter referred to as WFLC or the Council.

### Purpose

The Wildland Fire Leadership Council (WFLC) is an intergovernmental committee of federal, state, tribal, county, and municipal government officials convened to provide a forum for high level dialogues between members to recommend strategic direction for nationally coordinated wildland fire management.

### Functions

The WFLC:

- Provides a forum for intergovernmental discussions on national wildland fire management with public involvement
- Develops recommendations on the strategic direction of national wildland fire management
- Develops recommendations for distribution through its members to their respective organizations documenting the Council's agreements on strategic direction and guidance related to national wildland fire management
- Deliberates on national wildland fire management issues with national significance brought before the Council from WFLC members, the Wildland Fire Executive Council (WFEC), a FACA committee, and external stakeholders.
- Provides advice the Secretary of Agriculture, Secretary of Homeland Security, and Secretary of the Interior.

### Membership

Membership on the Council includes the following:

- U.S. Department of Agriculture
  - Undersecretary for Natural Resources and Environment
  - Deputy Undersecretary for Natural Resources and Environment
  - Chief of the Forest Service
- U.S. Department of the Interior
  - Assistant Secretary for Policy, Management and Budget
  - Director, Bureau of Indian Affairs
  - Director, Bureau of Land Management



- Director, Fish and Wildlife Service
- Director, National Park Service
- Director, U.S. Geological Survey
- U.S. Department of Homeland Security
  - Administrator, U.S. Fire Administration
- Senior Elected Officials
  - State Governor – Member of the National Governors’ Association
  - State Governor – Member of the Western Governors’ Association
  - President of the Intertribal Timber Council
  - County Commissioner – Member of the National Association of Counties
  - Mayor – Member of the National League of Cities
  - State Forester – at the request of a senior elected official
  - Fire Chief – at the request of a senior elected official

The elected officials making designations may delegate their authority to alternates in writing to attend in their absence. The Council reserves the right to engage with other federal departments, agencies, and organizations as necessary to fully explore recommendations deliberated upon and within WFLC.

### **Organization**

The Wildland Fire Leadership Council is an intergovernmental committee of federal, state, tribal, county, and municipal government officials convened by the Secretaries of the Interior, Agriculture, and Homeland Security dedicated to consistent implementation of wildland fire policies, goals, and management activities.

### **Governance**

The actions and obligations of the Agencies and Bureaus under this charter are subject to the availability of appropriations. Each party will carry out its activities in a coordinated and mutually beneficial manner. The Department of Agriculture, the Department of the Interior, and the Department of Homeland Security will manage their own activities and utilize their own resources including the expenditure of their own funds, in pursuing these objectives.

### **Roles and Responsibilities**

#### Chair

The Chair of WFLC will rotate between the US Department of Agriculture and the US Department of Interior for a (two) year term. The Chair is responsible for scheduling regular meetings to deliberate over nationally significant wildland fire management issues and develop resolutions to be distributed through the member agencies. Additional business protocols may be adopted by the Council to facilitate its efficient operation.

The Council Chair is responsible for providing at least 30 days written notice to Council members of meeting dates, location, and preliminary agenda items.



### Co-Chair

The Co-Chair will serve a two year term and performs the duties of the Chair when the Chair is not available or as requested by the Chair and will be a member of the Council.

### Members

Council members are expected to attend scheduled meetings and actively participate. The Council members are encouraged to bring strategic topics requiring intergovernmental coordination before the Council and to invite interested individuals to present information to help inform the Council's deliberations.

Once the members come to agreement on recommendations, the members are expected to widely distribute and support those agreements throughout their organizations.

### Executive Secretary

The Chair and Co-Chair will appoint an Executive Secretary to assist in the development of meeting agendas, and meeting logistics. The Executive Secretary will record the proceeding of the Council by documenting the decisions and actions and for keeping and securing permanent records of the proceedings. The Executive Secretary will be responsible for distributing information about WFLC activities and for posting information on the public website (forestsandrangelands.gov).

### **Meetings and Reports**

The Administration and Congress have directed the federal agencies to work collaboratively with tribal, state, and local governments and with citizens to develop and implement strategies for dealing with wildland fire management. In the collaborative spirit of this direction, and pursuant to provisions of law, including the Unfunded Mandates Reform Act exemption to the Federal Advisory Committee Act, the Council is an intergovernmental committee established to exchange views, information, and advice relating to the strategic management and implementation of national wildland fire management to include federal, state, local, and tribal programs.

The Council will meet as necessary to conduct business. Meetings shall be open to the public and exchange with individual members of the public in attendance will be encouraged through designation of "public comment" time on the agenda. The Council Chair, with the consent of the members present, may declare a portion of the meeting as an "executive session." An executive session may include routine administrative duties, ministerial tasks, or discussion of highly sensitive or confidential matters. The Council will strive to keep its meeting open to the public to the fullest extent.

### **Approval**

This charter takes effect upon the signature of the Chair, and shall remain in effect for 5 years from the date of execution.

This charter may be terminated by any of the Secretaries with a 60-day written notice to the others.

The undersigned approve this charter:

\_\_\_\_\_  
Secretary of Agriculture

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary of Homeland Security

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary of the Interior

\_\_\_\_\_  
Date

Final Draft for WFEC



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## **Memorandum of Understanding Wildland Fire Leadership Council**

This Memorandum of Understanding by the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Homeland Security authorizes the Wildland Fire Leadership Council, an intergovernmental committee supporting the implementation and coordination of Federal Wildland Fire Management Policy.

### **Mission**

The Wildland Fire Leadership Council (Council) is an intergovernmental committee of Federal, state, tribal, county, and municipal government officials convened by the Secretaries of the Interior, Agriculture, and Homeland Security dedicated to consistent implementation of wildland fire policies, goals, and management activities. The Council provides strategic oversight to ensure policy coordination, accountability, and effective implementation of Federal Wildland Fire Management Policy and related long-term strategies to address wildfire preparedness and suppression, hazardous fuels reduction, landscape restoration and rehabilitation of the Nation's wildlands, and assistance to communities.

### **Goals**

The Council, through its members and pursuant to relevant statutory authority, works strategically to develop, review, update, and monitor implementation of:

- Federal Wildland Fire Management Policy;
- Federal Land Assistance, Management, and Enhancement Act of 2009 (FLAME Act);
- A Cohesive Wildfire Management Strategy (2009 Quadrennial Fire Review);
- 10-Year Comprehensive Strategy (August 2001) & Implementation Plan (December 2006); and
- Other policies, procedures, and program management activities designed to protect communities and natural resources from wildfires, reduce hazardous fuels, restore fire-adapted ecosystems, and assist communities in their efforts to reduce loss from wildfires.

## **Organization and Operations**

Membership on the Council includes the following Federal officials:

- **U.S. Department of Agriculture** – the Under Secretary for Natural Resources and Environment, the Deputy Undersecretary for Natural Resources and Environment, and the Chief of the Forest Service.
- **U.S. Department of the Interior** – the Assistant Secretary for Policy, Management and Budget and the Directors of the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Indian Affairs, and the U.S. Geological Survey.
- **U.S. Department of Homeland Security** – the Administrator of the U.S. Fire Administration.

In addition to the Federal officials, the Council includes seven non-Federal members comprised primarily of senior elected officials of state, tribal, county, and municipal governments, including a state governor who is a member of the National Governors' Association, a state governor who is a member of the Western Governors' Association, the President of the Intertribal Timber Council, a county commissioner who is a member of the National Association of Counties, and a mayor who is a member of the National League of Cities. These elected officers, along with a state forester and a fire chief, at the request of the Senior Elected Official to whom they report, are invited to participate in the Wildland Fire Leadership Council because of their interest in and statutory responsibility for wildland fire management. The elected officials making designations may delegate alternatives in writing to attend in their absence.

## **Governance**

Responsibility for chairing the Council will alternate between the Departments of the Interior and Agriculture annually. The Council will meet regularly to monitor progress on implementation of Federal Wildland Fire Management Policy and other stated goals. Additional business protocols may be adopted by the Council to facilitate its efficient operation.

The Council Chair will provide at least 30 days written notice to Council members of meeting dates, location, and preliminary agenda items. Council members are encouraged to bring strategic topics requiring intergovernmental coordination before the Council and to invite interested individuals to present information to help inform the Council's deliberations.

The actions and obligations of the Agencies and Bureaus under this Memorandum of Understanding are subject to the availability of appropriations. Each party will carry out its activities in a coordinated and mutually beneficial manner. The Department of Agriculture, the Department of the Interior, and the Department of Homeland Security will manage their own activities and utilize their own resources including the expenditure of their own funds, in pursuing these objectives.



This Memorandum of Understanding takes effect upon the signature of the Secretary of the Department of the Interior, the Secretary of the Department of Agriculture, and the Secretary of the Department of Homeland Security, and shall remain in effect for 5 years from the date of execution. This Memorandum of Understanding may be extended or amended upon written request of any of the Secretaries and the subsequent written concurrence of the others. Any Secretary may terminate this Memorandum of Understanding with a 60-day written notice to the others.

## Collaboration and Public Participation

The Administration and Congress have directed the Federal Agencies to work collaboratively with tribal, state, and local governments and with citizens to develop and implement strategies for dealing with wildfire preparedness and suppression, hazardous fuels reduction, landscape restoration, and rehabilitation of the Nation's wildlands (e.g. rangelands, forests, and wetlands) as well as assistance to communities. In the collaborative spirit of this direction, and pursuant to provisions of law, including the Unfunded Mandates Reform Act exemption to the Federal Advisory Committee Act, the Council is an intergovernmental committee established to exchange views, information, and advice relating to the management and implementation of Federal programs in wildland fire management, hazardous fuels reduction, and natural resource management, and to integrate these activities with other Federal, state, local, and tribal programs.

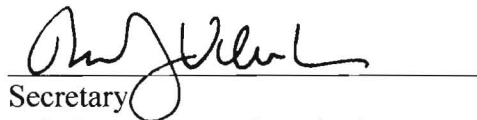
Meetings shall be open to the public and exchange with individual members of the public in attendance will be encouraged through designation of "public comment" time on the agenda or by other informal means. The Council Chair, with the consent of the members present, may declare a portion of the meeting as an "executive session." An executive session may include routine administrative duties, ministerial tasks, or discussion of highly sensitive or confidential matters. The Council will strive to keep its meeting open to the public to the fullest extent possible.

## Approval

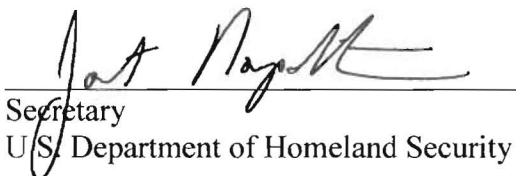
The undersigned approve this Memorandum of Understanding.



Secretary  
U.S. Department of the Interior



Secretary  
U.S. Department of Agriculture



Secretary  
U.S. Department of Homeland Security

DATE: APR 12 2010

**UNITED STATES DEPARTMENT OF THE INTERIOR**

**UNITED STATES DEPARTMENT OF AGRICULTURE**

**WILDLAND FIRE EXECUTIVE COUNCIL  
CHARTER**

- 1. Committee's Official Designation.** The Committee's official designation is the Wildland Fire Executive Council (WFEC).
- 2. Authority.** The WFEC is a discretionary advisory committee established under the authorities of the Secretary of the Interior and Secretary of Agriculture, in furtherance of 43 U.S.C. 1457 and provisions of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*), the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd-668ee), and the National Forest Management Act of 1976 (16 U.S.C. 1600 *et seq.*). The WFEC is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Appendix 2.
- 3. Objective and Scope of Activities.** The WFEC provides advice and recommendations on national wildland fire management.
- 4. Description of Duties.** The duties of the WFEC are advisory, and include:
  - Providing coordinating recommendations and advice to the Wildland Fire Leadership Council.
  - Facilitating development and implementation of a National Cohesive Wildland Fire Management Strategy.
  - Providing advice on wildland fire policy and program direction to the National Wildfire Coordinating Group.
- 5. Agency or Official to Whom the Committee Reports.** The WFEC reports to the Secretary of the Interior and the Secretary of Agriculture through the Wildland Fire Leadership Council, which is comprised of, in part, the Assistant Secretary for Policy, Management and Budget and the Directors of National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Indian Affairs, and the U.S. Geological Survey for the Department of the Interior, and for the Department of Agriculture, the Under Secretary for Natural Resources and Environment, the Deputy Under Secretary for Natural Resources and Environment, and the Chief of the Forest Service.
- 6. Support.** The Department of the Interior's Office of Wildland Fire will provide support for the WFEC.

7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the WFEC's activities are estimated to be \$95,000, including all direct and indirect expenses and .25 staff years.
8. **Designated Federal Officer.** The Designated Federal Officer (DFO) is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will approve or call all WFEC and subcommittee meetings, prepare and approve all meeting agendas, attend all WFEC and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretaries.
9. **Estimated Number and Frequency of Meetings.** The WFEC will meet approximately 6-12 times a year, and at such other times as designated by the DFO.
10. **Duration.** Continuing.
11. **Termination.** The WFEC will terminate 2 years from the date the Charter is filed, unless, prior to that date, the Charter is renewed in accordance with Section 14 of the FACA. The WFEC will not meet or take any action without a valid current charter.
12. **Membership and Designation.** The WFEC shall be composed of representatives from the Federal Government, and from among, but not limited to, the following interest groups.
  - Director, Department of the Interior, Office of Wildland Fire (DOI OWF)
  - Director, United States Department of Agriculture, Forest Service, Fire and Aviation Management (USDA FS FAM)
  - Assistant Administrator, U.S. Fire Administration (USFA)
  - Representative, National Wildfire Coordinating Group (NWCG)
  - Representative, National Association of State Foresters (NASF)
  - Representative, International Association of Fire Chiefs (IAFC)
  - Representative, Intertribal Timber Council (ITC)
  - Representative, National Association of Counties (NACO)
  - Representative, National League of Cities (NLC)
  - Representative, National Governors' Association (NGA)

Members serve at the discretion of the Secretary. A vacancy on the WFEC is filled in the same manner in which the original appointment was made.

Alternate members may be appointed to the WFEC. Alternates must be approved and appointed by the Secretary before attending meetings as representatives. Alternate members shall have experience and/or expertise similar to that of the primary member.




Members of the WFEC and its subcommittees serve without compensation. However, while away from their homes or regular places of business, WFEC and subcommittee members engaged in WFEC or subcommittee business, approved by the DFO, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under Section 5703 of Title 5 of the United States Code.

13. **Ethics Responsibilities of Members.** No WFEC or subcommittee members will participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.
14. **Subcommittees.** Subject to the DFO's approval, subcommittees may be formed for the purpose of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full WFEC for consideration. Subcommittees must not provide advice or work products directly to the Agency. The Council Chair, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
15. **Recordkeeping.** The records of the WFEC, and formally and informally established subcommittees of the WFEC, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.



\_\_\_\_\_  
Secretary of the Interior

FEB 19 2013  
Date Signed



\_\_\_\_\_  
Secretary of Agriculture

FEB 25 2013  
Date Signed

MAR - 4 2013  
Date Filed

UNITED STATES DEPARTMENT OF THE INTERIOR

UNITED STATES DEPARTMENT OF AGRICULTURE

WILDLAND FIRE EXECUTIVE COUNCIL  
CHARTER

1. **Committee's Official Designation.** The Committee's official designation is the Wildland Fire Executive Council (WFEC).
- A. 2. **Authority.** The WFEC is a discretionary advisory committee established under the authorities of the Secretary of the Interior and Secretary of Agriculture, in furtherance of 43 U.S.C. 1457 and provisions of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*), the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd-668ee), the National Park Service Organic Act of August 1916 (16 U.S.C.), the National Indian Forest Resource Management Act of 1990 (PL 101-630), and the National Forest Management Act of 1976 (16 U.S.C. 1600 *et seq.*). The WFEC is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Appendix 2.
3. **Objective and Scope of Activities.** The WFEC provides advice and recommendations on national wildland fire management.
4. **Description of Duties.** The duties of the WFEC are solely advisory, and include:
  - Providing coordinating recommendations and advice to the Wildland Fire Leadership Council;
  - Facilitating development and implementation of a National Cohesive Wildland Fire Management Strategy;
  - Providing advice on wildland fire policy and program direction to the National Wildfire Coordinating Group;
5. **Agency or Official to Whom the Committee Reports.** The WFEC reports to the Secretary of the Interior and the Secretary of Agriculture through the Wildland Fire Leadership Council, which is comprised of, in part, the Assistant Secretary for Policy, Management and Budget and the Directors of National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Indian Affairs, and the U.S. Geological Survey for the Department of the Interior, and for the Department of Agriculture, the Under Secretary for Natural Resources and Environment, the Deputy Under Secretary for Natural Resources and Environment, and the Chief of the Forest Service.

Comment [KW1]: Missed NPS and BIA authorities. Do we need all of them?

Comment [KW2]: Is this redundant with membership?

6. **Support.** The Department of the Interior's Office of Wildland Fire will provide support for the WFEC.
7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the WFEC's activities are estimated to be \$95,000, including all direct and indirect expenses and .25 staff years.
8. **Designated Federal Officer.** The Designated Federal Officer (DFO) is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will approve or call all WFEC and subcommittee meetings, prepare and approve all meeting agendas, attend all WFEC and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretaries.
9. **Estimated Number and Frequency of Meetings.** The WFEC will meet approximately 6-12 times a year, and at such other times as designated by the DFO.
10. **Duration.** Continuing.
11. **Termination.** The WFEC is subject to biennial renewal and will terminate 2 years from the date the Charter is filed, unless, prior to that date, the Charter is renewed in accordance with Section 14 of the FACA. The WFEC will not meet or take any action without a valid current charter.
12. **Membership and Designation.** The WFEC shall be composed of representatives from the Federal Government, and from among, but not limited to, the following interest groups.
  - Director, Department of the Interior, Office of Wildland Fire (DOI OWF)
  - Director, United States Department of Agriculture, Forest Service, Fire and Aviation Management (USDA FS FAM)
  - Deputy Administrator, U.S. Fire Administration (USFA)
  - Representative, National Wildfire Coordinating Group (NWCG)
  - Representative, National Association of State Foresters (NASF)
  - Representative, International Association of Fire Chiefs (IAFC)
  - Representative, Intertribal Timber Council (ITC)
  - Representative, National Association of Counties (NACO)
  - Representative, National League of Cities (NLC)
  - Representative, National Governors' Association (NGA)

Members serve at the discretion of the Secretary. A vacancy on the WFEC is filled in the same manner in which the original appointment was made.

Alternate members may be appointed to the WFEC. Alternates must be approved and appointed by the Secretary before attending meetings as representatives. Alternate members shall have experience and/or expertise similar to that of the primary member.

Members of the WFEC and its subcommittees serve without compensation. However, while away from their homes or regular places of business, WFEC and subcommittee members engaged in WFEC or subcommittee business, approved by the DFO, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under Section 5703 of Title 5 of the United States Code.

- 13. Ethics Responsibilities of Members.** No WFEC or subcommittee members will participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.
- 14. Subcommittees.** Subject to the DFO's approval, subcommittees may be formed for the purpose of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full WFEC for consideration. Subcommittees must not provide advice or work products directly to the Agency. The Council Chair, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
- 15. Recordkeeping.** The records of the WFEC, and formally and informally established subcommittees of the WFEC, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

\_\_\_\_\_  
Secretary of the Interior

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Secretary of Agriculture

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Date Filed



## National Wildfire Coordinating Group

National Interagency Fire Center  
3833 S Development Avenue  
Boise, Idaho 83705-5354

### Charter

#### **DRAFT REVISION**

**Name:**

The name of this group is the National Wildfire Coordinating Group, hereinafter referred to as the NWCG.

**Purpose:**

- NWCG will provide national leadership and ~~develop, maintain establish, implement, maintain,~~ and communicate interagency standards, guidelines, ~~and~~ qualifications, ~~training, and other capabilities that enable interoperable operations among federal and non-federal entities.~~ for wildland fire program management. NWCG will facilitate implementation of approved standards, guidelines, qualifications and training.
- ~~NWCG provides a forum in which issues; both short and long term, involving standards and program implementation can be coordinated, discussed, and resolved. Serves as a clearinghouse and provides a forum for discussion of short and long term wildland fire management issues and initiates actions to improve coordination and integration of state, tribal, local and federal wildland fire programs while recognizing individual agency missions.~~

Comment [KW1]: Dropped this bullet

**Functions:**

- Develops, proposes, ~~and~~ maintains standards, guidelines, training, and certification in interagency wildland fire operations.
- ~~Implements the wildland fire program.~~
- Supports the development of wildland fire policy and program ~~Participates with and responds to wildland fire policy and program~~ guidance and direction.
- ~~Ensures strategic policy and program coordination between fire, resources, aviation, and other related program areas.~~
- Participates in the development and supports the National Response Plan, as well as the National Incident Management System (NIMS) as required.

Comment [KW2]: Bureaus implement.

Comment [KW3]: Role of FFPC

**Guiding Principles:**

- ~~Safety is the core value and consideration throughout all NWCG activities.~~

Comment [KW4]: Not needed for charter

- ~~• Wise and efficient use of funds is a high priority consideration in planning and implementing NWCG objectives.~~
- ~~• Interagency communication, coordination, and cooperation are vital to the effective and efficient use of the nation's wildland fire management resources. Decisions are based on the collective needs and capabilities of the interagency community.~~
- ~~• Effective wildland fire management is a result of leadership at all levels.~~
- ~~• Trust and integrity are inherent to the success of NWCG. Deliberations are open and transparent.~~
- ~~• Differences in member organizations' responsibilities, missions, and capabilities are recognized and mutually respected.~~
- ~~• Responsive to change through a deliberative process and member accountability for all actions contributes to excellence.~~

**Membership and Organization**

Membership is limited to one individual organization representative from each member organization, except the Forest Service will be represented by two representatives – one from Fire and Aviation Management and one from Wildland Fire Research and Development Applications.

Comment [KW5]: Went with intergovernmental format

**Member Organizations:**

- U.S. Forest Service
  - o Fire and Aviation Management
  - o Wildland Fire Research and Development Applications
- Department of Interior
  - o Bureau of Indian Affairs
  - o Bureau of Land Management
  - o Fish and Wildlife Service
  - o National Park Service
- Department of Homeland Security
  - o FEMA, U.S. Fire Administration
- U.S. Fire Administration
- Non-Federal Entities
  - o Intertribal Timber Council
    - ~~• National Association of State Foresters~~
    - ~~• Intertribal Timber Council~~

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## Organization

The NWCG will function as a collaborative entity to accomplish its purposes and responsibilities. The NWCG may establish Committees, Subgroups, Task Groups, or Boards to carry out the tactical work of NWCG. The purpose of any such groups is to provide efficient, coordinated standards, guidelines, qualification and training among the federal and non-federal fire management organizations.

The Chair of any working team shall be selected by a vote of the NWCG. Membership shall be invited from member organizations and other organizations having the expertise and interest in the particular subject matter. Subgroups will submit reports and recommendations to the Executive Board through the identified Branch Coordinator or subgroup lead.

## Governance

The NWCG is accountable to the FEC, NASF, and ITC and provides recommendations and advice on interagency standards, guidelines, qualifications, training, and other capabilities that enable interoperable operations among federal and non-federal entities. The NWCG also provides advice on coordinated wildland fire policy and program management to FEC.

The NWCG receives direction and guidance from the FEC, NASF and ITC. The FEC, NASF and ITC may adjudicate any issues that cannot be resolved by the NWCG.

## **Responsibilities**

### *Chair*

The Chair ~~and Co-Chair~~ will rotate among the members, serving each be elected from within the NWCG to serve a minimum term of two (2) years that begin January of each year. -

The Chair may call and conduct meetings, establish subgroups, and submit NWCG recommendations to member agencies and other entities for action, and sign NWCG correspondence. The Chair shall determine meeting agendas, submit necessary briefing papers and reports, and have minutes prepared for each meeting and distributed to the members.

In addition, the Chair ~~may will~~ represent NWCG at FEC, NASF, ITC, or Interagency Fire Executive Council (IFEC) meetings, National Association of State Foresters Fire Committee meetings, and other meetings and events as appropriate.

~~The Chair may establish Committees, Subgroups, Task Teams or Boards to carry out the tactical work of the NWCG. The Chair for any working team shall be selected by a vote of the NWCG. Membership shall be invited from member organizations and other organizations having the expertise and interest in the particular subject matter. Subgroups will submit reports and recommendations to the Executive Board through the identified Branch Coordinator or subgroup lead.~~

**Comment [KW6]:** From federal governance discussions as communicated during iFEC. Pulled information from down below.

**Comment [KW7]:** Same as comment under Organization

**Comment [KW8]:** I reflected what I heard in iFEC. What's different from it, is I removed reference to the FMB. I thought for the WFEC discussion we didn't need to reflect its incorporation into governance. A separate issue.



***Vice-Chair***

The Vice-Chair will rotate among the members, serving a minimum term of two (2) years that begin January of each year. When the Chair is absent, or incapacitated, the Vice-Chair shall assume the full authority and responsibility of the Chair.

**Members**

NWCG members are expected to attend meetings and actively participate in the discussions. Members are encouraged to contribute to the development of meeting agendas. Members are expected to communicate the activities of the NWCG to their organizations. When necessary, members may designate a representative to attend NWCG meetings on their behalf. Any such representative should be fully cognizant of the functions and activities of the NWCG and have full authority to make decisions on behalf of their principal. Members are encouraged to minimize the use of representatives to ensure consistency and continuity in the business of the NWCG.

**Comment [KW9]:** From federal governance discussion.

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***Organization Support***

The NWCG has established our interagency organizational support staff to support the mission, goals and business of the NWCG. This organization will record the proceedings of the NWCG by documenting the decisions and actions, keeping and securing permanent records, and distributing and communicating information about NWCG to its member entities.

**Operating Principles, Guidelines, and Procedures**

The NWCG shall have an operating plan to provide protocols and procedures for conducting NWCG business.

**Meetings**

The NWCG shall meet monthly or as necessary to conduct business. Three times annually, meetings shall focus on standards, guidelines, and training and certification issues in interagency wildland fire operations. The Group shall also meet upon the call of the Chair at a location to be determined by the Chair.

A quorum for conducting business shall be a minimum of two-thirds of the members.

**Approval:**

This Charter is effective on the date of approval of undersigned officials and shall remain in effect until revised or revoked by those officials.

***Recommend approval be the Agency leadership, i.e. Director, Chief etc.***

\_\_\_\_\_  
Chair, Fire Executive Council

\_\_\_\_\_  
Date

**Comment [KW10]:** Reflects creation of this group via federal discussions.

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\_\_\_\_\_  
Chair, Fire Committee – National Association of State Foresters

\_\_\_\_\_  
Date

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\_\_\_\_\_  
Nolan Colegrove  
President, Intertribal Timber Council

\_\_\_\_\_  
Date

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## National Wildfire Coordinating Group

National Interagency Fire Center

3833 S Development Avenue

Boise, Idaho 83705-5354

## Charter

### **Name:**

The name of this group is the National Wildfire Coordinating Group, hereinafter referred to as the NWCG.

### **Purpose:**

- NWCG will provide national leadership and develop, establish, maintain and communicate interagency standards, guidelines, qualifications, training, and other capabilities that enable interoperable operations among federal and non-federal entities. NWCG will facilitate implementation of approved standards, guidelines, qualifications and training.

### **Functions:**

- Proposes, develops, and maintains standards, guidelines, training, and certification in interagency wildland fire operations.
- Supports the development of wildland fire policy and program guidance and direction.
- Participates in the development and supports the National Response Plan, as well as the National Incident Management System (NIMS) as required.

### **Membership**

Membership is limited to one individual organization representative from each member organization, except the Forest Service will be represented by two representatives – one from Fire and Aviation Management and one from Wildland Fire Research and Development Applications.

### **Member Organizations:**

- U.S. Forest Service
  - Fire and Aviation Management
  - Wildland Fire Research and Development Applications
- Department of Interior
  - Bureau of Indian Affairs
  - Bureau of Land Management

- Fish and Wildlife Service
  - National Park Service
- Department of Homeland Security
  - FEMA, U.S. Fire Administration
- Non-Federal Entities
  - Intertribal Timber Council
  - National Association of State Foresters

## **Organization**

The NWCG will function as a collaborative entity to accomplish its purposes and responsibilities. The NWCG may establish Committees and other Subgroups to carry out the tactical work of NWCG. The purpose of any such groups is to develop, propose, and maintain efficient, coordinated standards, guidelines, qualification and training among the federal and non-federal fire management organizations.

The Chair of any committee shall be selected by a vote of the NWCG. Membership shall be invited from member organizations and other organizations having the expertise and interest in the particular subject matter. Subgroups will submit reports and recommendations to the Executive Board through the identified Branch Coordinator or subgroup lead.

## **Governance**

The NWCG receives direction and guidance from the FEC, NASF and ITC, as well as advice from the WFEC. The FEC, NASF and ITC may adjudicate any issues that cannot be resolved by the NWCG.

## **Responsibilities**

### ***Chair***

The Chair will rotate among the members, serving a minimum term of two (2) years that begin January of each even numbered year.

The Chair may call and conduct meetings, establish subgroups, and submit NWCG recommendations to member agencies and other entities for action, and sign NWCG correspondence. The Chair shall determine meeting agendas, submit necessary briefing papers and reports, and have minutes prepared for each meeting and distributed to the members.

In addition, the Chair may represent NWCG at FEC, NASF, ITC, or other meetings and events as appropriate.

### ***Vice-Chair***

The Vice-Chair will rotate among the members, serving a minimum term of two (2) years that

begin January of each even numbered year. When the Chair is absent, or incapacitated, the Vice-Chair shall assume the full authority and responsibility of the Chair.

### ***Members***

NWCG members are expected to attend meetings and actively participate in the discussions. Members are encouraged to contribute to the development of meeting agendas. Members are expected to communicate the activities of the NWCG to their organizations. When necessary, members may designate a representative to attend NWCG meetings on their behalf. Any such representative should be fully cognizant of the functions and activities of the NWCG and have full authority to make decisions on behalf of their principal. Members are encouraged to minimize the use of representatives to ensure consistency and continuity in the business of the NWCG.

### ***Organization Support***

The NWCG has established support staff to support the mission, goals and business of the NWCG.

### ***Operating Principles, Guidelines, and Procedures***

The NWCG shall have an operating plan to provide protocols and procedures for conducting NWCG business.

### ***Meetings***

The NWCG shall meet monthly or as necessary to conduct business. Three times annually, meetings shall focus on standards, guidelines, and training and certification issues in interagency wildland fire operations. The Group shall also meet upon the call of the Chair at a location to be determined by the Chair.

A quorum for conducting business shall be a minimum of two-thirds of the members.

**Approval:**

This Charter is effective on the date of approval of undersigned officials and shall remain in effect until revised or revoked by those officials.

\_\_\_\_\_  
Chair, Fire Executive Council

\_\_\_\_\_  
Date

\_\_\_\_\_  
James Karel  
Chair, Fire Committee – National Association of State Foresters

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phil Rigdon  
President, Intertribal Timber Council

\_\_\_\_\_  
Date

*Draft - Need to Discuss Membership with Signatories to MOU*

**Memorandum of Understanding**  
for  
**THE NATIONAL WILDFIRE COORDINATING GROUP**  
among the  
UNITED STATES DEPARTMENT OF THE INTERIOR  
Bureau of Land Management  
Bureau of Indian Affairs  
Fish and Wildlife Service  
National Park Service  
and the  
UNITED STATES DEPARTMENT OF AGRICULTURE  
Forest Service  
and the  
UNITED STATES DEPARTMENT OF HOMELAND SECURITY  
U.S. Fire Administration  
and the  
THE NATIONAL ASSOCIATION OF STATE FORESTERS,  
and the  
THE INTERTRIBAL TIMBER COUNCIL.

BLM No. – FA-MOU08-0001

NPS No. – F9560080001

BIA No. – 2007-K00441-MOU-004

ITC No. – N/A

USDA FS No. – 07-MU-11130206-073

FWS No. – 93252-7-MOU-004

USFA No. – N/A

NASF No. – N/A

**I. STATEMENT OF MUTUAL BENEFITS AND INTEREST.**

This Memorandum of Understanding (MOU) is made by and entered into among the following entities:

- A. Bureau of Land Management, the National Park Service, the U.S. Fish and Wildlife Service, and the Bureau of Indian Affairs—all agencies of the United States Department of the Interior, hereinafter collectively referred to as “DOI agencies;”
- B. United States Forest Service hereinafter referred to as “Forest Service,” an agency of the United States Department of Agriculture;
- C. United States Fire Administration of the United States Department of Homeland Security, hereinafter referred to as “USFA;”
- D. Intertribal Timber Council hereinafter referred to as “ITC”; and
- E. National Association of State Foresters hereinafter referred to as “NASF,” a non-profit organization whose members are the Directors of the state forestry agencies of participating states, U.S. territories and former territories, and the District of Columbia.

These entities share the common goal of effective and efficient wildland fire management. They recognize that each organization’s mission can be better accomplished through cooperative efforts and through the sharing of talents, information, and resources. A charter will be implemented which guides the operations of the participants in meeting their common goals.



The Secretaries of Agriculture and the Interior entered into Memoranda of Understanding—dated, respectively, January 28, 1943, and February 21, 1963—to provide adequate wildfire management and protection to the lands under their respective jurisdictions.

In addition, the bureau and agency directors for the land management agencies for the above Secretaries, which includes the Bureau of Land Management, Bureau of Indian Affairs, National Park Service, Fish and Wildlife Service, and the Forest Service, also entered into an Interagency Agreement for Fire Management that is rewritten every five years and commonly referred to as “the Master Fire Management Agreement.” This agreement provides a basis for cooperation among the agencies on all aspects of wildland fire management and as authorized in non-fire emergencies.

## **II. PURPOSE.**

The purpose of this MOU is to create a framework for the ongoing work of the National Wildfire Coordinating Group, hereinafter referred to as “NWCG,” as a national group whose function is to provide national leadership and establish, implement, maintain and communicate policy, standards, guidelines, and qualifications for wildland fire program management and support the National Incident Management System.

NWCG provides a forum in which issues both short and long term involving standards and program implementation can be coordinated, discussed and resolved. Serves as a clearing house and provides a forum for discussion of short and long-term wildland fire management issues and initiates actions to improve coordination and integration of state, tribal, and federal wildland fire programs while recognizing individual agency missions.

## **III. AUTHORITY.**

The signatory entities are authorized to enter into this Memorandum of Understanding under their respective authorities:

- Reciprocal Fire Protection Act of May 27, 1955, 42 U.S.C. § 1856a (2000);
- the Federal Land Policy and Management Act of 1976, 43 U.S.C. § 1701, *et seq.* (2000);
- National Park Service Organic Act of August 1916, 16 U.S.C. § 1, *et seq.* (2000);
- National Wildlife Refuge Administrations Act of June 27, 1998, 16 U.S.C. § 668dd (2000);
- Disaster Relief Act of 1974, 42 U.S.C. § 1521 (2000);
- National Indian Forest Resources Management Act of 1990, 25 U.S.C. § 3101 (2000);
- Cooperative Forestry Assistance Act of 1978, 16 U.S.C. § 2101, *et seq.* (2000);
- Public Law 93-498, 93<sup>rd</sup> Congress, S.1769, October 29, 1974.

This Memorandum of Understanding upon full execution supersedes the existing MOU signed by Secretary of Agriculture, Earl Butz, and Secretary of the Interior, Thomas Kleppe, dated March 16, 1976, which originally established the NWCG.

#### **IV. MEMBERSHIP.**

NWCG membership consists of representatives from governmental agencies, the National Association of State Foresters, and the Intertribal Timber Council with national responsibilities for wildland fire management.

#### **V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND AMONG THE PARTIES THAT:**

- A. This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds among the parties to this MOU will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Specifically, this MOU does not authorize or commit the cooperating agencies or cooperators of any contract or other agreement to noncompetitive awards. Any contract or agreement must fully comply with all applicable federal requirements for competition.
- B. No individual member information provided as part of the NWCG business shall be disclosed to any individual or other organization that is not within the NWCG membership without prior written consent of the member or working team that provided the information, unless such disclosure is required by law. Any information furnished to, or shared among, the member federal agencies through their participation in the NWCG is subject to request under the Freedom of Information Act, 5 U.S.C. § 552, *et seq.* (2000) (the "FOIA"), consistent with its exceptions and limitations. The non-federal members are not, through their participation in the NWCG, subject to the FOIA.
- C. This MOU in no way restricts the member organizations from participating in similar activities with other public or private agencies, organizations, or individuals.
- D. Nothing herein is intended, or shall be construed, as affecting or obligating the signatories to the expenditure of funds or as involving the United States in any contract or other obligations. The member federal agencies may not obligate the expenditure of funds (or provide services requiring the expenditure of funds) through their participation under the terms of this MOU unless such funds are available. For federal member agencies, funds expended to implement the activities of NWCG must be appropriated by the Congress of the United States or be otherwise available to the member agencies.
- E. The Department of Agriculture, Department of the Interior, Department of Homeland Security, the Intertribal Timber Council and the National Association of State Foresters and their respective member agencies, offices, officers, and employees are responsible for their own activities and costs, and will utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will endeavor to carry out its separate activities in a coordinated and mutually beneficial manner. Notwithstanding this provision, nothing in this MOU shall prevent the payment by one or more of the federal member agencies of expenses incurred by non-federal personnel in participating in NWCG activities, provided that

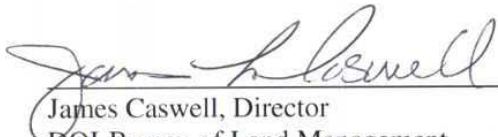
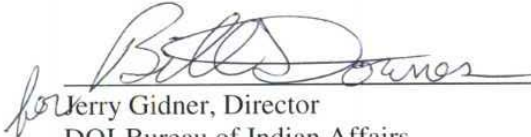

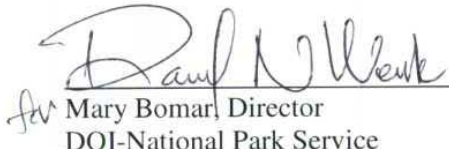



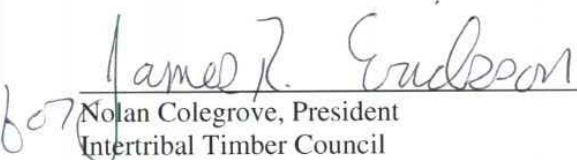
funds for that reimbursement are available within the federal agencies' appropriated funds and authorities.

- F. The terms of this MOU shall become effective with and upon execution of the final signature by the participating agencies and shall remain in effect for a maximum period of five-years from the date when the final signature was placed on the approval section or until such time as the MOU is dissolved by mutual agreement. The MOU shall be reviewed by all participating entities to determine its suitability for renewal, revision, or dissolution. Any signatory may withdraw from participation in this MOU thirty (30) days after providing written notice to the other signatories. Following such withdrawal, the remaining approving signatories may continue the provisions of this MOU as long as all such remaining signatories agree to the continuance.
- G. Modifications to this MOU may be initiated by any participating agency. Suggested modifications shall be reviewed and acted upon within sixty (60) days of receipt of the requested modification. Changes shall not take effect until documented and signed by all approving signatories. The Forest Service is designated as the agency responsible for all administrative oversight of modifications to this MOU.
- H. This MOU does not by itself create any contractual right or other right of action by one member organization against any other member organization for compensation for any loss, damage, personal injury or death occurring as a consequence of the performance of this MOU.
- I. This MOU is not intended to, and does not create, any claim, right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by any party against the United States, its agencies, its officers, or against any member organization or any other person. The members acknowledge and agree that any effort to impose liability upon any member for its activities undertaken while participating in or otherwise acting to further the purposes of the NWCG would thwart, impede, and impair (1) the functioning of the NWCG; (2) the exercise of discretion in the execution of its functions; (3) the purposes underlying this MOU; (4) the federal, tribal, and state interests that the NWCG was created to further and promote; and (5) the federal policies and congressional purposes of the legislation listed above.
- J. The publications issued through the work of the NWCG shall be printed by the federal government and shall be publications of the federal government only and not of the non-federal member organizations. Member organizations, and other organizations and persons, shall each decide independently whether to distribute or to follow NWCG publications and policies, and each is solely responsible for its own implementation of those policies. No member may delegate to any other member its responsibility to determine which policies or publications to follow or implement within its own organization or jurisdiction. No party to this MOU and no individual employed by or appointed by any member agency or by the NWCG shall be liable or otherwise responsible for claimed deficiencies in the policies or publications of the NWCG.
- K. The use of the names and emblems of the parties to this MOU shall be allowed only in the case of particular projects undertaken pursuant to the prior express written consent of the parties to this MOU, and when such projects are in conformity with the parties to this MOU's regulations.

**VI. RESOLUTION OF DISAGREEMENT.**

Should disagreement arise regarding the interpretation of the provisions of this MOU, or amendments and/or revisions thereto, that cannot be resolved at the operating level, each party shall state the area(s) of disagreement in writing and present them to the other party for consideration. If agreement on interpretation is not reached within thirty (30) days, the parties shall forward the written statements of the disagreement to the Wildland Fire Leadership Council, which may make a non-binding recommendation to the parties to resolve the disagreement.

**APPROVALS:**

 James Caswell, Director DOI-Bureau of Land Management	<u>10/11/07</u> Date
<i>for</i>  Jerry Gidner, Director DOI-Bureau of Indian Affairs	<u>10/11/07</u> Date
<i>for</i>  Dale Hall, Director DOI-Fish and Wildlife Service	<u>10/11/07</u> Date
<i>for</i>  Mary Bomar, Director DOI-National Park Service	<u>10/10/07</u> Date
<i>for</i>  Abigail Kimbell, Chief USDA, Forest Service	<u>10/11/07</u> Date
 Gregory Cade, Administrator DHS, U.S. Fire Administration	<u>10/11/07</u> Date
 Kirk Rowdabaugh, President National Association of State Foresters	<u>10/11/07</u> Date
<i>for</i>  Nolan Colegrove, President Intertribal Timber Council	<u>10/11/07</u> Date



# Wildland Fire Leadership Council

## Western Regional Strategy Committee Guidance March, 2013

### Name

The name of this group is the Western Regional Strategy Committee, hereinafter referred to as the WRSC.

### Purpose

The National Cohesive Wildland Fire Management Strategy (Cohesive Strategy), as called for in the Federal Land Assistance, Management and Enhancement Act of 2009, addresses the impacts of wildland fire across the landscape and on communities, counties, states, tribes, and federal agencies, and what can be done to reduce the negative impacts of fire on people, property and natural resources.

The three goals of the Cohesive Strategy are to:

- 1) restore and maintain resilient landscapes,
- 2) promote fire adapted communities, and
- 3) respond to wildland fire.

After a recommendation by the Wildland Fire Executive Council, the Wildland Fire Leadership Council established the WRSC in Phase II of the Cohesive Strategy. This WFEC sub-committee is made up of federal, state, tribal, local and non-governmental organization representatives and convenes to facilitate and coordinate the development and implementation of the National Cohesive Wildland Fire Management Strategy – Western Regional Strategy and the Western Regional Action Plan. The intent of the WRSC is to support and promote the Guiding Principles, stewardship, science-based, and service-based approaches needed to build healthy ecosystems, communities and economies resilient in the face of changing climate conditions.

The WRSC recognizes the significant impacts of wildfire and deteriorating forest and rangeland health on our human health, water infrastructure, economies and communities, and is committed to developing and implementing the collaboratively identified actions. The Western Regional Strategy Committee will provide executive leadership, oversight and guidance for the Western Region. This committee will provide a forum for members to recommend and guide joint strategic direction on fire and land management activities.

The members of the Western Regional Strategy Committee and its designated Work Groups share a common goal of cohesively communicating and implementing the actions and tasks identified in the Western Regional Action Plan and ultimately accomplishing the three goals of the Cohesive Strategy. The signatures on this guidance document reflect an agreement to work together to accomplish the goals of the Cohesive Strategy.

## Intent

The WRSC will provide consistent communications with stakeholders and will foster utilization of tools to enhance local, state, tribal, federal and regional decision-making, while accomplishing the goals of the Cohesive Strategy. This requires a strong commitment by all stakeholders to engage in the implementation of the Western Regional Action Plan and to continue to support activities of the WRSC and its Work Groups.

### The WRSC:

- Provides a forum for discussions with fire and land management agencies and stakeholders on fire and land management;
- Develops recommendations on the strategic direction of fire and land management;
- Develop recommendations for distribution through its members to their respective organizations supporting the WRSC's agreements on strategic direction and guidance related to fire and land management;
- Deliberates on fire and land management issues with regional significance brought before the WRSC from stakeholders, the Wildland Fire Leadership Council (WFLC) members, the Wildland Fire Executive Committee (WFEC); National Science and Analysis Team and/or science community;
- Determines the appropriate membership on the WRSC and assignments to other regional and national efforts, as well as facilitates an understanding of the governance and oversight roles of wildland fire and land management;
- Members will work together to understand and prioritize the near, mid, and long-term actions and tasks in the Western Regional Action Plan;
- Determines necessary Work Groups to accomplish actions and tasks, being mindful of capacity to adequately staff these groups;
- Determines the appropriate membership on the Work Groups to ensure necessary input from land managers, stakeholders, public and regional interests are included;
- Provides guidance to Work Groups on expectations for conducting outreach and ensuring participation throughout implementation;
- Administers the Coordinator position to implement the Western Regional Action Plan;
- Tracks implementation, establishes timeframes, and ensures completion of the regional recommendations, actions, and tasks;
- Considers how to meet information needs at the appropriate scales and identify options to increase capacity;
- Communicates progress and/or issues throughout the process.

Recognizing the need for a dynamic Western Regional Action Plan, the WRSC will facilitate a process for reviewing and updating of the plan to address changing conditions or other factors



(i.e. large fire seasons, economics, insects and disease outbreaks, etc.). Future progress reports, financial accountability reports, and action plan updates are expected. The FLAME Act requires a five-year update to the Cohesive Strategy. The WRSC will strategize how to improve the process of developing this Western Regional Action Plan and develop a plan and timeline to facilitate the next update of the Cohesive Strategy for the West.

## Membership

Membership of the WRSC includes the following:

- U.S. Department of Agriculture
  - U.S. Forest Service – Regional Forester (1)
  - N.R.C.S. – State Conservation Director (1)
- U.S. Department of the Interior
  - Fire/Land Manager, Bureau of Indian Affairs (1)
  - Fire/Land Manager, Bureau of Land Management (1)
  - Fire/Land Manager, Fish and Wildlife Service (1)
  - Fire/Land Manager, National Park Service (1)
- U.S. Department of Homeland Security
  - Representative, U.S. Fire Administration (1)
- U.S. Department of Defense
  - Fire and land management leadership (1)
- Senior Officials
  - State Governor – Western Governors’ Association (1)
  - Representative – Intertribal Timber Council (1)
  - County Commissioner – National Association of Counties (1)
  - Mayor – National League of Cities (1)
  - State Forester Representative – Council of Western State Foresters
  - Conservation District Director – National Association of Conservation Districts (1)
  - Fire Chief – Requested by the International Association of Fire Chiefs (1)
- Non-Governmental Organizations (2)
  - TBD by the WRSC

The WRSC members may delegate their authority to alternates to attend in their absence. The WRSC may engage with other member departments, agencies, and organizations as necessary to fully explore recommendations deliberated upon and within WRSC.

## Governance

The Wildland Fire Leadership Council (WFLC) oversees wildland fire management for the nation and the Cohesive Strategy effort as called for in the Federal Land Assistance and Management Enhancement Act. The WFLC appointed the Wildland Fire Executive Committee (WFEC), to support Phases II and III of the Cohesive Strategy. WFEC is a Federal Advisory Committees Act (FACA) chartered committee and its membership reflects that of the WFLC.

Three regions/sub-committees were developed by the WFEC. The Western Regional Strategy Committee (WRSC) is a sub-committee of the WFEC and reports to the WFEC. The WRSC provides regional support for the WFEC and the national effort of implementing the Cohesive Strategy. Mobilization of regional work groups will be established as necessary to assist the WRSC in implementation of the Western Regional Action Plan, such as those that were utilized during the development of the Phase II and Phase III Western Regional reports.

Each member of the WRSC and Work Group will carry out its activities in a coordinated and mutually beneficial manner and will work together to track implementation of the Western Regional Action Plan. The Western Regional Action Plan will not restrict or direct local authorities and associated collaboratives in their decision-making.

### Roles and Responsibilities

Leadership, or co-chair positions of the WRSC may be filled by federal, tribal, and non-federal members. Additional members of the WRSC will include stakeholders from all levels of government and non-governmental organizations, which have a direct responsibility of providing public safety and/or managing public and/or private lands.

Members of the WRSC will identify the appropriate staff from the federal, tribal, state, and local government, along with non-governmental organizations to execute the activities described above. The WRSC will actively recruit federal and non-federal entities to contribute to this effort, particularly with respect to identifying other key sectors that are being, or are projected to be, affected by wildland fire and deteriorating landscape conditions. In addition, members will actively seek human and financial resources needed to implement the Western Regional Action Plan.

### Executive Committee

The WRSC will strive for shared leadership by establishing three co-chairs: a federal, non-federal, and tribal entity for a (two) year term. These positions will make up the WRSC Executive Committee. The Executive Committee is responsible for attending meetings to discuss and identify regionally significant wildland fire and land management issues and develop guidance to be distributed through the member agencies. Additional business protocols may be adopted by the WRSC to facilitate its efficient operation in tracking and implementing the Western Regional Action Plan.

### Coordinator

The WRSC acknowledges the need for consistent and continued coordination and communication to implement the Western Regional Action Plan and achieve the goals of the Cohesive Strategy. The Coordinator will work with the WRSC and the many stakeholder groups to guide implementation activities as identified in the Western Regional Action Plan.

The role of the coordinator is to facilitate work on the recommended actions of the various entities and agencies engaged in wildland fire and land management in the implementation of the Western Regional Action Plan and increase stakeholder engagement. Among other activities, the



coordinator will lead efforts to educate and inform decision-makers on the work occurring within the region, garner support, and assist in implementing the plan. The WRSC will provide input and guidance to the Coordinator in the strategic and cohesive implementation and integration of the Western Regional Science-based Risk Analysis Report and Western Regional Action Plan. The WRSC Coordinator position, currently hosted by the Western Governors' Association, may be hosted by another member organization of the WRSC if necessary.

### Members

WRSC members are expected to attend scheduled meetings and actively participate. Members are encouraged to bring strategic topics requiring intergovernmental coordination before the WRSC and invite interested individuals to present information to help inform the WRSC's deliberations.

Once the members come to agreement on recommendations, the members are expected to widely distribute and support those agreements throughout their organizations. WRSC members will support the Coordinator in the sharing and promotion of spokesperson responsibilities with agencies, stakeholder groups and the public.

### Work Groups

The WRSC will develop Work Groups as needed to support the implementation of regional recommendations, actions, and tasks in the Western Regional Action Plan, such as the Communications Work Group responsible for managing outreach and communication activities. These Work Groups report directly to the WRSC.

### Meetings and Reports

The Administration and Congress have directed the Federal Agencies to work collaboratively with tribal, state, and local governments and with citizens to develop and implement strategies for wildland fire management. The WRSC is a committee established to exchange views, information, and advice relating to the strategic management and implementation of regional wildland fire and land management to include federal, tribal, state, local, and non-governmental organizations programs.

The WRSC will meet as necessary to conduct business. Meetings shall be open to the public and exchange with individual members of the public in attendance will be encouraged. The WRSC Executive Committee, with the consent of the members present, may declare a portion of the meeting as an "executive session." An executive session may include routine administrative duties, ministerial tasks, or discussion of highly sensitive or confidential matters.

Approval

This guidance document takes effect upon the signature of the WFEC Co-Chairs, and indicates the agreement to work together to accomplish the goals of the Cohesive Strategy, and shall remain in effect for 5 years from the date of execution.

This guidance document may be terminated by the concurrence of the WFEC and the WRSC with a 60-day written notice to the other members.

The undersigned approve this guidance document:

\_\_\_\_\_  
WFEC Co-Chair

\_\_\_\_\_  
WFEC Co-Chair

\_\_\_\_\_  
Date

DRAFT