

MEMORANDUM OF UNDERSTANDING
Between
Idaho Department of Lands
And the
Idaho Transportation Department

This Memorandum of Understanding is hereby entered into by the Idaho Department of Lands (IDL) and the Idaho Transportation Department (ITD).

- A. **PURPOSE:** To ensure the safety and efficient passage of motorists, firefighters and equipment along state highways and federal interstates where fire management activities necessitate the establishment of temporary traffic control (TTC) zones. Provide personnel and equipment, when available and as needed, to provide support for fire suppression in Idaho.
- B. **AUTHORITY:** Citation of the legal authority for the MOU including Sections 67-2326 through 67-2333 and 67-2339, Idaho Code, and any other provisions of state or federal law or regulation directly pertaining to the memorandum. Also under the provisions of Idaho Code 58-115, IDL is authorized to cooperate with other state agencies in the employment of services and the use of equipment.

C. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:

IDL is responsible for managing wildland fires on lands under its protection.

ITD is responsible to ensure the safety and efficient operation on its highway transportation system.

- D. **LIMITATIONS:** Nothing in this Memorandum of Understanding between ITD and IDL shall be construed as limiting or expanding the statutory or regulatory responsibilities of either agency or any individual in performing functions granted to them by law; or as requiring either entity to expend any sum in excess of its respective appropriation. All provisions of this memorandum are subject to the laws and regulations of the state of Idaho and of the United States.

Nothing in this Memorandum of Understanding shall be construed as expanding the liability of either party. In the event of a liability claim, each party shall defend its own interests. Neither party shall be required to provide indemnification of the other party.

INCONSIDERATION OF THE ABOVE, THE PARTIES AGREE AS FOLLOWS:

A. IDL SHALL:

1. Assume fiscal responsibility for TTC work zones made necessary by fire suppression activities which are for firefighter safety and not needed for public safety. Examples include providing TTC measures in the vicinity of incident command posts (ICPs), helibases, or drop points along state highways and federal interstates.
2. Notify and coordinate with ITD when fire activities such as air operations, back burn, etc., affect ITD's highway system or when situations warrant the need for regulatory

signing.

3. Provide ITD with a contact or list of contacts responsible for wildfire activities. This list is to be updated and sent to ITD when any changes in staff occur and will become Appendix B to this agreement.
4. Ensure ITD's liaison is integrated into the incident management team on the fire – either in person or virtually. Reimburse ITD for any overtime incurred by the liaison during the duration of fire.
5. Provide emergency traffic control, as needed to protect the public, until ITD, Idaho State Police, or appropriate law enforcement agency can assume this responsibility.

B. ITD SHALL:

1. Install initial temporary traffic controls as necessary and available, including regulatory and warning signage, flagging, pilot car operations, and debris removal when a wildfire creates hazards to Idaho state highways and federal interstates. Examples include: removal of debris such as rocks and logs that roll onto the roadway as a result of a fire and providing pilot cars, flaggers, and signage for safe passage while visibility is compromised by smoke. ITD may utilize contractors for this work if the TTC operation exceeds 24 hours.
2. Upon request, provide IDL with the following information:
 - ITD district boundaries
 - ITD maintenance engineer/foreman contact information
 - ITD routes with route numbers and reference points
 - Permanent and variable message sign locations
 - ITD contact list.

Provide IDL with a contact or list of contacts of ITD personnel. Note: ITD employees are not trained or qualified for fire suppression activities. ITD personnel may be tasked with temporary traffic control activities, the delivery of signs, portable message boards and when possible, water tenders. The list of ITD personnel will be updated and sent to IDL when changes occur and will become Appendix A to this agreement.

3. Assist IDL in identifying vendors qualified to create and manage long-term traffic control as needed to safely conduct fire suppression operations.
4. Be responsible for the establishment and installation of temporary traffic control involving regulatory signage such as speed zones, no stopping, and no parking zones on roads, and close roads when necessary under the jurisdiction of ITD, during the duration of the incident. Closures on state highways and federal interstates will be solely at the discretion of ITD or the Idaho State Police.

All contract traffic control must be done by trained flaggers and must meet MUTCD certification standards.

5. Make available the state Highway Advisory Radio (HAR) system, fixed Dynamic Message Signs (DMS), and portable variable message signs from district management when possible. This may include posting fire prevention messages on one or more DMS when they are not being used for a higher priority message.

Posting of such DMS messages requires authorization by the respective district engineer/staff or the ITD Emergency Program Supervisor.

6. Grant authority to IDL to initiate temporary emergency blockage of state highways and federal interstates when fire activity or other incident activities significantly compromise safety of the public and/or firefighters. Blockages that are expected to last longer than 2 hours require an official road closure with appropriate TTC. ITD must be notified of any such blockage as soon as possible after it is implemented.
7. Provide a liaison officer on wildfires that are likely to have a significant impact on state highways and federal interstates. Any overtime expenses incurred by the liaison working beyond their regularly scheduled shift will be reimbursed by the wildland fire agency.

IT IS MUTUALLY AGREED AND UNDERSTOOD BY ALL PARTIES THAT:

1. IDL and ITD shall be responsible for the health and safety of its employees. There is no expectation created or implied in this agreement that employees of either agency will perform duties for which they are not trained or qualified.
2. This agreement is made in the state of Idaho, and Idaho law shall govern all aspects of the agreement.
3. All personnel and devices associated with TTC shall comply with the standards and guidelines of the Manual on Uniform Traffic Control Devices (MUTCD), as adopted by Idaho Code. Traffic control flaggers shall be certified to conduct flagging operations on state highways and federal interstates.
4. IDL has a cooperative agreement with five federal wildfire agencies. The terms of this agreement will also apply to these fire agencies when they are the fire-protecting agency on a fire impacting state highways and federal interstates in Idaho. The five agencies are: United States Forest Service (USFS), Bureau of Land Management (BLM), United States Fish and Wildlife Service (USFWS), National Park Service (NPS), and Bureau of Indian Affairs (BIA).
5. Wildfires burning in Idaho may create unsafe conditions on Idaho highways and ITD will be responsible for Temporary Traffic Controls (TTC) needed for public safety of motorists.
6. Actions taken to suppress fires by wildland fire agencies along state highways and federal interstates may create unsafe conditions for firefighters. When these activities need TTC measures in addition to those provided by ITD for public safety, the wildland fire agency will be responsible for procuring and paying for those TTC measures.
7. This agreement is applicable to wildfires burning in Idaho and does not apply to

prescribed burns or wildfires that are not being actively suppressed to meet landowner objectives. Landowners doing prescribed fires or not fully suppressing wildfires must coordinate with ITD if their fires will impact state highways and federal interstates.

BILLING

1. ITD shall provide to IDL an itemized invoice along with the Interagency Billing Input Form, including supporting documentation. Supporting documentation includes, vehicle use logs, copy of published vehicle rates and/or policy for vehicle/equipment costs, payroll report for personnel costs, and receipts for all other costs being submitted for reimbursement.
2. IDL will reimburse ITD for actual personnel costs including benefits, when allowed by this MOU.
3. Reimbursement for ITD vehicles and equipment shall be in accordance with ITD policy and current fleet rate.
4. All invoices, including supporting documentation, shall be submitted to the IDL Administrative Office for payment listed in Appendix B within 30 days upon release from the incident.

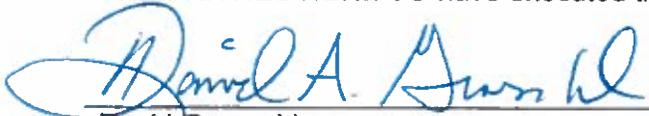
AMENDMENTS. Amendments to this memorandum shall become effective upon mutual agreement and written approval by the signing authorities of the Idaho Transportation Department and the Idaho Department of Lands. Any appendix to this agreement may be updated annually with current information by ITD and IDL without requiring new signatures to the agreement.

COMMENCEMENT/EXPIRATION DATE. The MOU is executed upon signatures from both agencies and will remain valid for five years from the date of the last signature.

TERMINATION. Either party may terminate the MOU in whole or in part at any time before the date of expiration with 30 days written notice.

SIGNATURES:

THE PARTIES HERE TO have executed this instrument.



David Groeschl
Deputy Director
Idaho Department of Lands

Date: 7/5/16



for Brian Ness
Director
Idaho Transportation Department

Date: 7/7/16

APPENDIX A

ITD PRINCIPAL CONTACTS

The principal contacts for ITD are:

The District (1-6) Maintenance/Operations Engineer(s)

- ITD District 1 (208)-772-1224
- ITD District 2 (208)-799-4255
- ITD District 3 (208)-334-8347
- ITD District 4 (208)-886- 7805
- ITD District 5 (208)-239-3309
- ITD District 6 (208)-745-5686
- ITD Dispatch (208)-846-7610 (State Communications)
- ITD Emergency Program (208) 334-8414

APPENDIX B

IDL BUREAU of FIRE MANAGEMENT AND AREA/DISTRICT/ASSOCIATION CONTACT INFORMATION

Coeur d'Alene Staff Office

IDL State Duty Officer Phone: 208-769-1530

JT Wensman – Chief, Bureau of Fire Management

Wendy Walter – Fire Business Program Mgr.

Kevin Benton – Fire Operations & Safety Program Mgr.

Mark Eliot – Fire Aviation & Investigation Program Mgr.

Don Wagner – Fire Planning Program Mgr.

Julia Sullens – South Idaho Fire Liaison (Boise Staff)

Coeur d'Alene Staff Office

3284 West Industrial Loop, Coeur d'Alene, ID 83815

Phone: 208-769-1525 Fax: 208-769-1524

Boise Staff Office

300 N. 6th St., Suite 103, Boise, ID 83702

Phone: 208-334-0256

Priest Lake Area

Mick Schanilec – Area Manager

Dan Brown – Fire Warden

4053 Cavanaugh Bay Road

Coolin, ID 83821

Phone: 208-443-2516

Fax: 208-443-2162

Mica Area

Frank Waterman – Area Manager

Gary Darrington – Fire Warden

3258 West Industrial Loop

Coeur d'Alene, ID 83815

Phone: 208-769-1577

Fax: 208-769-1597

Cataldo FPD

Kjell Truesdell – Fire Warden

80 Hilltop Overpass Road

Kingston, ID 83839

Phone: 208-682-4611

Fax: 208-682-2991

Pend Oreille Lake Area

Tom Flier – Area Manager

Shawn Hicks – Fire Warden

2550 Highway 2 West

Sandpoint, ID 83864

Phone: 208-263-5104

Fax: 208-263-0724

Kootenai Valley FPD

Ken Homik – Fire Warden

6327 Main Street

Bonnars Ferry, ID 83805

Phone: 208-267-5577

Fax: 208-267-8301

St. Joe Area

Richard "Tiny" Furman – Area Mgr.

Josh Harvey – Fire Warden

1806 Main Ave.

St. Maries, ID 83861

Phone: 208-245-4551

Fax: 208-245-4867

Clearwater Area

Jay Sila – Area Manager

10230 Highway 12

Orofino, ID 83544

Phone: 208-476-4587

Fax: 208-476-7175

Ponderosa Area

Mark Lesko – Area Manager

Jason Svancara – Fire Warden

3130 Highway 3

Deary, ID 83823

Phone: 208-877-1121

Fax: 208-877-1122

Maggie Creek Area

Zoanne Anderson – Area Manager

Nick Carter – Fire Warden

913 3rd Street

Kamiah, ID 83536

Phone: 208-935-2141

Fax: 208-935-0905

Craig Mountain FPD

Jeremiah Miller – Fire Warden

PO Box 68

Craigmont, ID 83523

Phone: 208-924-5571

Fax: 208-924-5571

Payette Lakes Area

Scott Corkill – Area Manager

555 Deinhard Lane

McCall, ID 83638

Phone: 208-634-7125

Fax: 208-634-5117

Southwest Area

Bob Pietras – Area Manager

Casper Urbanek – Fire Warden

8355 W. State Street

Boise, ID 83714

Phone: 208-334-3488

Fax: 208-853-6372

Eastern Idaho Area

Pat Brown – Area Manager

3563 Ririe Highway

Idaho Falls, ID 83401

Phone: 208-525-7167

Jerome Field Office

Denice Backus – Admin. Asst.

324 S. 417 E., Suite 2

Jerome, ID 83338

Phone: 208-324-2561

Fax: 208-324-2917

Southern Idaho TPA

Ken Stump – Chief Fire Warden

555 Deinhard Lane

McCall, ID 83638

Phone: 208-634-2268

Fax: 208-634-5117

Clearwater-Potlatch TPA

Len Young – Chief Fire Warden

10250 Highway 12

Orofino, ID 83544

Phone: 208-476-5612

Fax: 208-476-7218