

Berlin Wildfire Hazard Mitigation Plan



Prepared for the New Hampshire Bureau of
Emergency Management

Winter 2006/2007

Prepared by
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Acknowledgements

This plan was created through a grant from the New Hampshire Bureau of Emergency Management and made possible through NCC member communities' dues.

The following organizations have contributed invaluable assistance and support for this project:

- ◆ New Hampshire Bureau of Emergency Management
- ◆ New Hampshire Division of Forests & Lands
- ◆ USDA Forest Service
- ◆ City of Berlin

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Picture Courtesy NH Forests & Lands from the 2006 Gorham Wildfire

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Chapter I. Wildfire Planning Process



Mission Statement:

To make Berlin's community less vulnerable to the effects of wildfire hazards through the effective administration of hazard mitigation planning, wildfire hazard assessments, a coordinated approach to mitigation policy and planning activities.

Vision Statement:

The community of Berlin has reduced the impacts of wildfires through implementing mitigation measures, public education and deliberate capital expenditures within the community. Homes and businesses are safer and the communities ISO rating has been improved. More defensible space has been created within the WUI.



Photo credit: Christine Walker

A. AUTHORITY

This Wildfire Hazard Mitigation Plan was prepared in accordance with the Disaster Mitigation Act of 2000 (DMA), Section 322, Mitigation Planning. Accordingly, this Wildfire Plan will be referred to as the "Plan". The City of Berlin Wildfire Hazard Mitigation Plan was prepared by the City of Berlin's Wildfire Hazard Mitigation Planning Team with the assistance and professional service of North Country Council Regional Planning Commission under contract with the New Hampshire Bureau of Emergency Management (BEM) operating under the guidance of Section 206.405 of 44 CFR Chapter 1 (10-1-97 Edition). After a public hearing held in the City of Berlin, the Plan will be adopted by the City Council.

B. FUNDING SOURCE

This Plan was funded in part by the Bureau of Emergency Management, with grants from Federal Emergency Management Assistance.

C. PURPOSE

The City of Berlin's Wildfire Mitigation Plan is a planning tool for use by the City of Berlin in its efforts to reduce future losses from natural and/or man-made wildfire hazards. This plan does **not** constitute a section of the City's Master Plan. The Plan **will** be an addendum to the City of Berlin's All-Hazards Mitigation Plan adopted by the City on January 9th, 2004. As a result of this Plan, the City's All-Hazards Mitigation Plan will also be considered updated as of the date of formal adoption by the City Council.

The New Hampshire Bureau of Emergency Management (NH BEM) has a goal for all communities within the State of New Hampshire to establish local Wildfire Mitigation Plans as a means to reduce future losses from natural or man-made fire events before they occur. The NH BEM outlined a process whereby communities throughout the State may be eligible for grants and other assistance upon completion of a local All-Hazard Mitigation Plan. A handbook entitled *Wildfire Hazard Mitigation Planning Guide* is currently being created by North Country Council to assist communities in developing local plans. The State's Regional Planning Commissions are charged with providing assistance to selected communities to develop local plans.

D. HISTORY

On October 30, 2000, President Clinton signed into law the Disaster Mitigation Act of 2000 (DMA). The ultimate purpose of DMA 2000 is to:

- *Establish a national disaster hazard mitigation program that will reduce loss of life and property, human suffering, economic disruption, and disaster assistance costs resulting from disasters, and*
- *Provide a source of pre-disaster hazard mitigation funding that will assist States and local governments in accomplishing that purpose.*

DMA 2000 amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act by, among other things, adding a new section, 322 – Mitigation Planning. This places new emphasis on local mitigation planning. **It requires local governments to prepare and adopt jurisdiction-wide hazard mitigation plans as a condition to receiving Hazard Mitigation Grant Program (HMGP) project grants.** Local governments must review and if necessary, update the mitigation plan every five years to continue program eligibility.

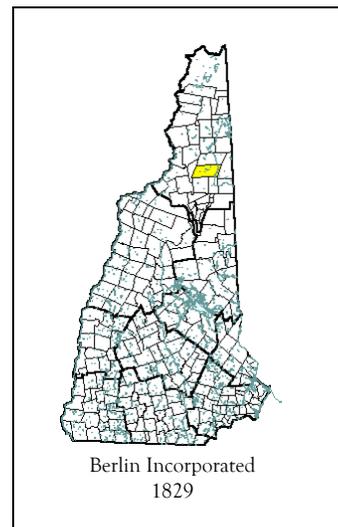
E. SCOPE OF THE PLAN

While a community’s All-Hazards Mitigation Plan often identifies a vast number of natural hazards and is somewhat broad in scope and outline, this Plan addresses the areas specific to wildfire hazards. This Plan covers the City of Berlin. The Planning Team used the following guidelines to determine the scope of this Plan:

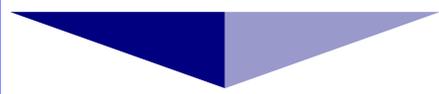
- Effects of wildfire on critical facilities
- Effects of wildfire on current residential buildings
- Effects of wildfire on other structures within the City
- Effects of wildfire on future development
- Effects of wildfire on administrative, technical and physical capacity of the City of Berlin’s Fire Department
- Effects of wildfire on the unincorporated area of Success
- Effects of wildfire on response coordination between Federal, State and local entities

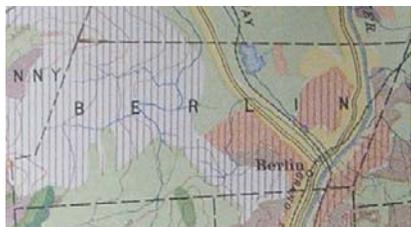
The Scope of the Wildfire Plan is more in-depth and complicated than the City’s All-Hazards Plan. It is necessary that the Wildfire Plan include Federal participation in order to additionally qualify as a Community Wildfire Protection Plan (CWPP) to allow a community to gain access to Federal funding for fuels reduction and other mitigation projects supported by the US Forest Service. By merging the two Federal planning processes, duplication is eliminated and the City has access to a larger pool of resources for pre-disaster planning.

It was important throughout this process to coordinate efforts with the local and federal wildfire authorities. The Healthy Forest Restoration Act (HFRA) of 2003 includes the first meaningful statutory incentives for the US Forest Service to give con-



Documentation for the Planning Process, includes public involvement, is required to meet DMA 2000 (44CFR§201.(c) (1)and §201.6 (c) (1)). The plan must include a description of the planning process used to develop the plan, including how it was prepared, who was involved in the process, and how other agencies participated. A description of the planning process should include how the planning team or committee was formed, how input was sought from individuals or other agencies who did not participate on a regular basis, what the goals and objectives of the planning process were, and how the plan was prepared. The description can be in the plan itself or contained in the cover memo or an appendix..





Wildfires 1903 and earlier. Map Credit: US Forest

sideration to the priorities of local communities as they develop and implement forest management and hazardous fuel reduction projects. In order for a community to take advantage of this new opportunity, it must first prepare a CWPP. It did not make sense to conduct a planning process for Wildfire Mitigation that would satisfy FEMA’s criteria without also addressing the minimum requirements for a CWPP. Otherwise, a community could have an approved plan through one federal agency that did not satisfy another and be forced to conduct a duplicative process to be eligible for federal assistance.

The minimum requirements for a CWPP are; 1) to work collaboratively with local, state and federal agencies as well as the public, 2) prioritize areas of hazardous fuel reduction and recommend treatments, and 3) recommend measures that homeowners and communities can take to reduce ignitability of structure. All three of these have been incorporated into this Plan through the mitigation strategy process outlined by FEMA.

Additionally, HFRA requires that the following entities agree on the final contents of the plan: the local government, local fire departments, and the state entity responsible for forest management. In NH, this is the Division of Forests & Lands.

F. METHODOLOGY

The Plan was developed with substantial local, State and Federal coordination. As the Plan developed, the North Country Council was also producing a guide for other NH regional planning commissions to follow. The outline grew out of a series of meetings between the US Forest Service, White Mountain National Forest, the NH Division of Forests and Lands, NH Forest Rangers, the NH Bureau of Emergency Management and local fire officials.

STEP 1:

Committee Formation

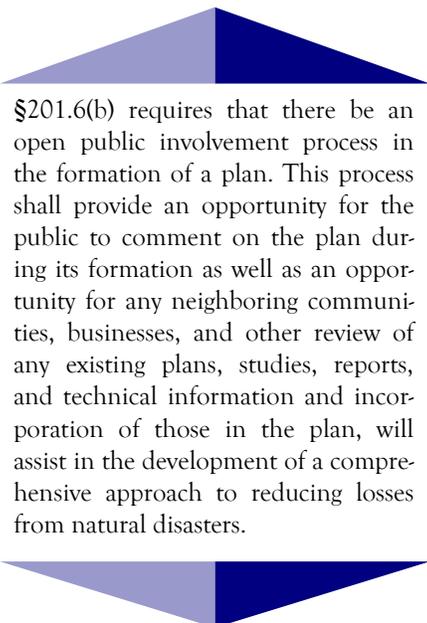
The local Emergency Management Director was initially contacted to assist with creating a Planning Team. The Team consisted of:

- Laura Viger - Emergency Management Director for the City of Berlin
- Chief Randall Trull - Fire Chief for the City of Berlin
- Dick Lafleur - City of Berlin
- Steve Sherman - State of NH Forest Ranger
- Pat Tarpey - North Country Resource & Conservation Development
- Julia Chase - Bureau of Emergency Management
- Chris O’Brien - US Forest Service White Mountain National Forest
- Roland Viens - Berlin Water Works
- Don Muisse - US Forest Service
- Brad Simpkins - NH Division of Forests & Lands
- Bert vonDohrmann - NH Division of Forests & Lands

Notification of the initial meeting was posted within the City by the City of Berlin’s planner, Pam Laflamme. A press release was developed and published in local newspapers informing residents about the planning process and encouraging them to participate and become a member of the Team. (Appendix A)



Photo Credit: Raymond Godbout



A Memorandum of Understanding (MOU) (Appendix B) was created so that the City and North Country Council both understood what their roles were and what the expectations of the process was. Additionally, the MOU provides a sense of commitment that the City will follow up on the recommendations and include provisions for mitigation strategies within their Capital Improvement Program (CIP).

STEP 2:

Committee Orientation

An initial meeting was held on November 7, 2006 so that members could understand the purpose and deliverables expected from the process.

Issues covered included:

- The importance of wildfire planning
- What will be accomplished with the creation of this plan
- How this process was made possible, funding sources
- Importance of Agency coordination
- Links between US Forest Service’s CWPP and FEMA’s Mitigation Planning Roles and Responsibilities of the Team
- Materials were distributed
- A timeline for the process was outlined, with meeting dates etc.
- The Plan outline was discussed
- ...and deliverables for the process were outlined

STEP 3:

Date collection and research on wildfires was collected, locally and within the region and state. A base map was created to outline historic wildfires.

Step 4:

Public Participation

A second meeting was held on November 28, 2006 to gather input from the Team and the public. Issues covered included:

Mapping critical resources to wildfire mitigation such as dry hydrants, fire stations, fire towers, water supplies, facilities that could be negatively impacted such as the gas pipeline, and facilities that could be of assistance in fire fighting such as the waterline that comes in from Godfrey Dam.

Discussion on historic fires

Historic fires were mapped on a base map using US Forest Service and State Division of Forests & Lands historic references, as well as local historic references

The Wildland/Urban Interface was explained, outlined and the significance of this area was discussed in reference to fire issues such as:

Response times, length of hose, equipment, inter-agency coordination, and remote water sources

STEP 5:

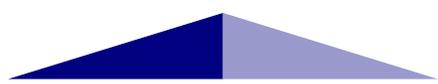
Critical Resources– At the same November 28, 2006 meeting, the committee discussed critical resources within their community that were identified through the All-Hazard Mitigation process and then looked specifically at what issues there might be with wildfire. The following list of critical resources gathered by the Committee were



It is important for communities to involve both the Federal and State agencies responsible for forest issues in NH. Contact the US Forest Services at : White Mountain National Forest, 603-528-8721, http://www.fs.fed.us/r9/forests/white_mountain/ . Contact the State Forest agency at: NH Division of Forests and Lands, 603-271-2214, <http://www.nhdf.org>.



Photo Credit: US Forest Service



Every community should involve their regional FEMA Field Representative. An up to date list of Field Reps can be found at <http://www.nh.gov/safety/divisions/bem/contactusstaffem.html>. To find out which person represents your area call the Bureau of Emergency Management at (603) 223-3619.





Prescribed Burn at Big Pine State Forest, Picture; courtesy NH Division of Forests & Lands



In the absence of a CWPP, Section 101 (16) of the HFRA defines the wildland-urban interface as “(i) an area extending 1/2 mile from the boundary of an “AT RISK” community; (ii) an area within 1 1/2 miles of the boundary of an “AT RISK” community, including any land that (I) has a sustained steep slope that creates the potential for wildfire behavior endangering the “AT RISK” community.



Forest Rangers Eleanor Mardin & Steve Sherman on the Boundary Fire in the Salmon-Challis National Forest, Idaho. August 2006

Photo courtesy; NH Division of Forests & Lands

placed on the map for reference and to note during mitigation strategies. Those resources were determined by the Wildfire Planning Committee to be the following:

- Natural Gas Pipeline
- Wind towers on Mount Forist
- Federal Prison
- State Prison
- Androscoggin Valley Hospital
- Coos County Nursing Home
- Mount Forist
- Mount Jasper
- Unincorporated place of Success
- Berlin High School
- Godfrey Dam
- Berlin Fire Department

STEP 6

A **Hazard Assessment** was created.

The Hazard Assessment used was developed through investigation of Risk Analysis done throughout the country. A matrix of Risk Assessments can be found in the newly established Wildfire Mitigation Planning Guide created by North Country Council in early 2007 as well as in Appendix C of this document. The Hazard Assessment includes the following criteria:

- ⇒ 2001 NH Land Cover Assessment Layer– A value between 0-9 was assigned based on ignitability, to 23 land cover categories from open water to pitch pine forest.
- ⇒ Slope– A value between 1-10 was assigned to various gradients of slope.
- ⇒ Aspect– A value between 0-8 was assigned to various aspects from flat to south-west facing slopes.
- ⇒ Road widths– Road widths ranging from greater than 24ft to less than 20ft. This is based of NHDOT data. A buffer was determined along the roads which were labeled from – 0 to 4.
- ⇒ Ingress/Egress– A value of 0, 3 or 6 was assigned for properties with two or more roads, one road in/out or no road access to the property.

Once each of these layers were determined and mapped in GIS, they were summarized within a matrix which provided for varying risk levels; very low, low, medium, high, and very high. Each risk level was assigned a color and was mapped over the City of Berlin. (Appendix D)

An important part of determining the potential for wildfires and for identifying the potential for future wildfires is to assess weather trends. This is beyond the capacity of this planning process. But is important to not the following information. Weather is a much more important factor in dealing with wildfires that it is with structural fires. Wind is an important factor, the speed with which fire spreads is important to understand. Wind also helps dry forest fuels, making them more flammable. Relative humidity is a measure of moisture in the air. When the air is dry, it absorbs moisture from the fuels in the forest making them more flammable. Fires start more readily during periods of low humidity.

STEP 7:

Wildland/Urban Interface Map – The Wildland/Urban Interface (WUI) is the area where structures and other human development meets or intermingles. According to FEMA, a dichotomy exists in dealing with WUI fires. On the one hand, foresters believe that a natural fire is healthy for our forests. On the other hand, homeowners in these high risk areas expect fire protection of their structures. Fires within this interface pose great challenges to the fire service. Firefighting tactics for wildfires differ considerably from those in structural fires. Access to remote areas and availability to water sources are often limited in the WUI. Fire prevention programs in the WUI areas are extremely important. Homeowners must accept a measure of responsibility and be fully aware of the risks when deciding to locate in these areas, and communities need to be aware of the preparation necessary for building in these areas.

At least 50% of all funds appropriated for projects under the HFRA must be used within the WUI as defined by a communities CWPP, or other plan that satisfies CWPP criteria. Although it is not a requirement for a community to identify their WUI, if they do not, the WUI defaults to 1/2 mile of a community that is defined as ‘at risk’ or within 1 1/2 miles of the boundary of an ‘at risk’ community when other criteria such as steep slopes, or areas that are adjacent to an evacuation route. The City of Berlin is not listed as an ‘at-risk’ community, as defined in the Federal Register Vol. 66. No. 160, and therefore would not qualify under the default WUI criteria.

Therefore, we mapped the WUI for two reasons. 1) to eliminate redundancy of creating another planning process for the City and thereby making them eligible for a wider range of funding sources, 2) to provide the Team with another tool to assess where the City should concentrate its mitigation efforts.

STEP 8

Analysis of Data

A third meeting was held on December 19, 2006 and accomplished a number of tasks. The Team assessed the information from the Hazard Assessment mapping analysis, along with historic data, water supply issues, the WUI, and critical facilities. A lengthy discussion took place about the impacts of wildfire on Berlin’s resources and what areas within the community were truly at risk.

STEP 9

Identify Gaps in Existing Mitigation

At the same December meeting, the Team assessed the All-Hazards Mitigation Plan, its significance and emphasis on Wildfire Hazards and discussed and catalogued existing issues, regulations and plans within the City. Research was conducted on current City regulations and plans that dealt with wildfire issues.

STEP 10

Identifying Potential Mitigation Strategies

A fourth meeting was held on January 16, 2007 to create mitigation strategies. The Team held a brainstorming session, with all maps available, to come up with a num-



The Cascade Mountain fire in Gorham was the largest fire (98 acres) in over 15 years. Wildfire fighters from NH, Vermont and the White Mountain National Forest were called to fight the fire. Picture courtesy NH Division of Forests & Lands



Federal Register/ Volume 66. No. 160/ Friday August 17, 2001/ Notice:

List of communities in the North Country that have been listed as “At Risk” of Wildfire associated with the White Mountain National Forest.

- Bartlett
- Campton
- Chatham
- Conway
- Jefferson
- Lincoln
- Madison
- Plymouth
- Randolph
- Rumney
- Thornton
- Woodstock



Courtesy NH Division of Forests & Lands–Pine River ‘04



Photo credit: NH Division of Forests & Lands



NH ADMINISTRATIVE RULES
PARKS AND RECREATION Res
7301.14 Fires.

(a) Fires shall be permitted only in places provided or designated for that purpose, or as posted.

(b) Portable grills shall be permitted, provided that the park or beach area has places provided or designated for use of grills and that the ash and unused charcoal are emptied only into unused fireplaces or receptacles provided for that purpose.

(c) Trash burning shall not be permitted.



Photo credit: Raymond Godbout

ber of strategies that would reduce the impact of wildfire on local property. The Planning Team used all the analysis and data discussed at the December meeting to help them arrive at a list of potential strategies.

STEP 11

Prioritize Mitigation Strategies

The STAPLEE process was used to take the identified list of strategies and rate its effectiveness according to seven factors outlined by FEMA. Each factor was then scored and all scores were totaled for each strategy.

The prioritized list was then ranked by the overall score from the STAPLEE process. The Team held a brief discussion about the legitimacy of the ranking and if they felt the priorities would be well received by the public and the City Council. The list was then prioritized accordingly.

STEP 12

Implementation Plan

Using the chart provided through the All-Hazards Mitigation Planning Guide, the Team created an implementation strategy which included who was responsible, a schedule for completion, and funding sources necessary for the strategy to be carried out.

STEP 14

Adoption and Monitoring the Plan

The Team met one last time on February 6th, 2007 to review the draft and discuss a strategy for a public meeting and adoption by the City Council.

Copies of meeting agendas. (Appendix E)

Chapter II Community Profile

A. INTRODUCTION

Mission Statement

“Berlin is a thriving and desirable community where people work together: diversifying the economy, promoting spiritual and cultural heritage, protecting resources, increasing educational opportunities, building a positive self-image, and improving the quality of life.”

City of Berlin Resolution passed February 1, 1999

The City of Berlin is located in the southeastern portion of Coos County in northern New Hampshire. It is approximately 100 miles north of the City of Concord, the State’s Capital, and 50 miles west of the Town of Rumford, ME. Berlin is bordered by the very rural community of Milan to the north, the unincorporated area of Success to the east, the Towns of Randolph and Gorham to the south, and the unincorporated area of Kilkenny to the west.

The land area of Berlin is 61.5 sq. miles, with just under half of that area located within the White Mountain National Forest. The lowest elevations of approximately 1,000 feet are found near the center of the community, while the highest elevation of 3,890 feet is found on Weeks Mountain. There is approximately .7 sq. miles of inland water, with a number of small brooks and streams. The larger more exploited Androscoggin River runs along the eastern side of the City.

Berlin is commonly referred to as the “City that trees built”. The area was settled in 1771 and soon thereafter supported a thriving population and lumber industry. The Androscoggin River enters Berlin in a wide valley with changing elevations that made a desirable location for log runs and eventually a successful paper industry created in 1852, which employed a vast number of the hundred plus residents.

The community is currently going through some major economic changes. The mill, which became the lifeblood of the community, is in the process of being dismantled, and could drastically change the land use patterns of the center of the City. Berlin has been the economic center of the region for more than a century and a half.

B. PAST DEVELOPMENT TRENDS

Berlin in its hey-day was the focal point for many surrounding communities, culturally and economically. The City provided employment and possibilities for the region. Berlin saw its largest population in the 1950’s after which time it has seen a steady decline in population. Berlin’s population of 16,615 in 1950 dropped to 10,331 residents by 2000. The abundance of timber has, until recent years, kept much of the land use in undeveloped larger lots. The presence and availability of immense water power and the rugged topography of the land have attributed to the success of the paper industry and the preservation of the natural landscape. The region has traditionally attracted a steady flow of hunters, fishermen and outdoor rec-



Cardigan Fire Tower—Picture courtesy NH Division of Forests & Lands

Adoption by the local governing body demonstrates the jurisdiction’s commitment to fulfilling the mitigation goals and objectives outlined in the plan. Adoption legitimizes the plan and authorizes responsible agencies to execute their responsibilities. The plan shall include documentation of the resolution adopting the plan as per requirement §201.6 (c)(5).



Picture courtesy NH Division of Forests & Lands



“The Mayor and Council of the City of Berlin wish to express their strong support for the State’s acquisition of 7,000 acres in Berlin for the development of recreational multi-use trails in Berlin. There is little question in our mind that this major acquisition on the part of the State will be a needed economic boost to our area.”
 October 18, 2005



Chipper Fire picture courtesy NH Division of Forests & Lands

reationists who have added to the economic base through tourism. Settled late by New England standards, early land uses were subsistence farming and logging. With the opening of the railroad in 1852, Berlin came to the attention of the industrialists eager to develop its water power and utilize the area’s wood supply. Industrial land uses and the accompanying commercial and residential uses grew quickly. The formation of the White Mountain National Forest in 1919 changed the use and management of about 50% of the community.

C CURRENT DEVELOPMENT TRENDS

Berlin is on the cusp of an economic and social transformation. The mill that was centripetal within the community is being dismantled. The community has encouraged the addition of a Federal prison that will bring personnel from throughout the country. The region has remained insulated from the extreme increase in housing prices seen in southern New Hampshire and much of New England. Recent land transactions are converting a number of acres adjacent to the National Forest into an ATV recreation park. These changes in combination with the availability of land being sold off in large tracts by the paper companies, has resulted in an increase in interest from both internal and external opportunistic real estate ventures.

Changes in land use have created a need by the community to revisit their Master Plan and the City is currently undergoing a GIS Build-Out Analysis. This Wildfire Mitigation Plan will assist communities in defining some of the issues the City may face with new development in historically remote rural wooded areas.

D. STATISTICS OF INTEREST TO WILDFIRE PLANNING¹

Population	2004	1990	1980	1970
City of Berlin	10,484	11,889	13,084	15,256
Coos County	33,511	34,879	35,014	34,189

Regional Coordination

County	Coos
Regional Planning Commission	North Country Council
Watershed Planning Region ³	Androscoggin
Tourism Region	Great North Woods

Municipal Services

Type of Government	Mayor & Council
School Board	Yes
Planning Board	Yes, appointed
Master Plan	In the process of updating
Zoning Board	Yes, appointed

Zoning Ordinances	1946/2000
Capital Improvement Plan	Yes
Residential Buildings	56.8%
Commercial Land & Buildings	17.5%
Other including utilities	25.7%

Emergency Services & Issues

Police Department	Full-time
Fire Department	Full-time
Town Fire Insurance Rating	5/9
Emergency Medical Services	Private
Established EMD	Yes

Utilities

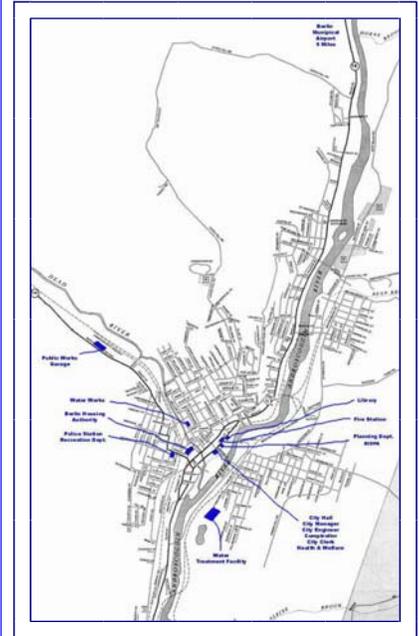
Electric Supplier	PSNH
Natural Gas Supplier	Portland Natural Gas; Key Span
Water Supply	Berlin Water Works
Nearest Hospital	Androscoggin Valley, Berlin, 59 beds

Transportation

Evacuation Routes	Routes 16 and 110, East Milan Rd, Airport
Nearest Interstate	I-93, 43 miles away
Railroad	Canadian National/B&M
Public Transportation	Yes
Nearest Airport	Berlin runway 5,200 ft., lighted, w/navg

Fire Information

Fire Stations	1, Main Street Berlin
Fire Warden	
Nearest Fire Tower ²	Milan Hill, Milan
Berlin Forest Fires ² in FY 2006	1
Number of Acres burned	.005, campfire
State Forest Fires ² in FY 2006	421
Number of Acres burned	537.62



Berlin Municipal Facilities Map can be found on the City of Berlin's webpage <http://ci.berlin.nh.us/maps.html>

2003 Total Housing Units	5,070
2003 Single-Family Units	2,452
Building Permits Issued	-1
2003 Multi-Family Units	2,527
Building Permits Issued	-10
2003 Manufactured Housing Units	91

¹ All information in Section D of this Chapter was obtain from DES unless otherwise noted. Copyright 2006 Economic & Labor Market Bureau, NH Employment Security, All Rights Reserved. Updated 06/05/06

² Information was derived from the NH Division of Forests & Lands Quarterly Update reports or other Division information.

Chapter III. Hazard Identification

FEMA Defines **Wildfire** as: *an uncontrolled fire spreading through vegetative fuels, exposing and possibly consuming structures. They often begin unnoticed and spread quickly and are usually signaled by dense smoke that fills the area for miles around. Naturally occurring and non-native species of grasses, brush and trees fuel wildfires.*

And **Wildland fire** as: *wildfire in an area in which development is essentially nonexistent, except for roads, railroads, power lines and similar facilities.*



Credit: US Forest Service
RX Burn in Agnew State Forest

One of the largest wildfires in the State burned much of Berlin in 1903 when the Kilkenny fire burned 25,000 acres across a number of towns.

A. WHAT ARE THE HAZARDS?

The only hazard this Plan addresses is wildfires. FEMA defines wildfires as an uncontrolled fire spreading through vegetative fuels, exposing and possibly consuming structures. They often begin unnoticed and spread quickly and are usually signaled by dense smoke that fills the area for miles around. Naturally occurring and non-native species of grasses, brush, and trees fuel wildfires.

B. PROFILE OF PAST AND PRESENT POTENTIAL WILDFIRE EVENTS IN BERLIN

A significant amount of time was spent on identifying wildfires within the City of Berlin. The Team identified fires through three processes. 1) the Team outlined on a base map historic fires that were recorded through State and Federal resources (Appendix F, 2) the Team discussed issues of data loss within certain time periods and research was conducted to fill these gaps, 3) community input and cultural recollection of historic moments was gathered through narrative interviews and anecdotal stories.

Historic fires can serve to help residents determine where future fires may occur, understand how the landscape and land use may have changed over time, and assist with determining priorities for future mitigation strategies. There are a number of changes in the reporting mechanisms that took place over the years. In some years the cause and location of the fires were catalogued, in other years the only information that was recorded by any authority was the fact that there was a fire somewhere. We have put together where possible a complete list of past fires in the City of Berlin as far back as has been recorded.

Date	Location	Impact
Prior to 1903	The entire area from the southeast corner of Berlin to the Androscoggin River up to a point approximately where the City Cam currently is, excepting developed areas around the mill and to its north residential areas	Large scale wildfire
Prior to 1903	An area roughly encompassing Jericho Mtn and Mt Forest which was bounded by Route 110 to the north and the railroad line to the east	Large scale wildfire
Prior to 1903	An area bounded by Cate's Hill to the north, the railroad line to the south, the city residential area to the east and extending about 1 1/4 miles to the east	Large scale wildfire
1903	An area engulfing the entire White Mtn National Forest with the exception of an area below Mt Weeks. The fire also extended along an area below Jericho Mtn all the way to the Androscoggin River.	Very large scale wildfire, much of many surrounding towns as well totaling 25,000 acres.
1921	Just northwest of the summit of Deer Mountain	Point - lightning

Date	Location	Impact
1921	About 1 mile northeast of Lonesome Ridge	Point - smoking
1922	About 3/4 mile south of the northern border of Berlin and about 1/2 east of the UA River	Point - smoking
1922	Along Jeep Trail about 1 1/4 miles east of Godfrey Dam	Point - lightening
1926	About 3/4 of a mile north of Jericho Mountain	Point - smoking
1927	Near the northeast shore of York Pond	Point - debris
1931	Along the Upper Ammonoosuc River about 3/4 of a mile east of Godfrey Dam	Point - misc
1932	Along the Upper Ammonoosuc River about 1/4 of a mile from the northern boarder of Berlin	Point - smoking
1932	About 1/4 of a mile from the northern boarder of Berlin and about 1/4 mile east of the UA River	Point - smoking
1932	About 3/4 of a mile south of the northern Boarder of Berlin along the UA River	Point - smoking
1935	About 1 mile directly east of the summit of Deer Mountain	Point - lightening
1936	About 1/4 of a mile south of the middle of Jericho Lake	Point - misc.
1936	Along a brook near the Upper Ammonoosuc River about 1/2 of a mile south of Godfrey Dam	Point - campfire
1938	About 2 miles east of York Pond	Point - smoking
1939	About 3/4 of a mile east of York Pond along West Brook	Point - smoking



NH DRED: Historically, large NH Wildland fires run in roughly 50 year cycles. The increased incidence of large Wildland fire activity in the late 1940s and early 1950s is thought to be associated, in part, with debris from the Hurricane of 1938. Significant woody "fuel" was deposited in the forests during that event. The Ice Storm of 1998 has left a significant amount of woody debris in the forests of the region that may fuel future Wildfires, but is becoming less of a concern.



Photo courtesy NH Division of Forests & lands— Jefferson RX burn



Photo courtesy NH Division of Forests & Lands

Nineteen small man-made wildfires have been reported in Berlin in the last five years. NH averages 500 fires per year and averages 1/2 acres or less per fire due to excellent coordination between Fire Towers and local Fire Departments.



Courtesy NH Forests and Lands White Mountain National Forest Lucy fire

Date	Location	Impact
1949	Along the southern border of Berlin and near the Upper Ammonoosuc Trail	Point—misc.
1995	About 1/8 of a mile east of the hospital	unknown
1970's?	About 1/2 of a mile north of the southern border of Berlin and about 1/4 mile west of Route 16	Point—misc.
1998	2 fires unmapped	1-acre child 1-acre child
1999	2 fires unmapped	.025-acres debris .025-acres debris
2000	2 fires unmapped	.025-acres debris .025-acres misc.
2001	2 fires unmapped	.025-acres illegal .025-acres equipment
2001	About 1/8 of a mile east of the hospital	unknown
2002	2 fires unmapped	1-acre child 1.5-acre arson
2003	1 fire unmapped	13.6-acres smoking
2003	2 fires just to the southeast of the summit of Mt Jasper	unknown
2004	3 fires unmapped	.010-acre debris .010-acre campfire .010-acre smoking
2005	1 fire unmapped	.005-acre debris
2006	1 fire unmapped	.005-acre campfire

Appendix F provides a map of wildfires that locations where able to be determined.

Chapter IV. Critical Facilities

The Critical Facilities within a community were mapped within the All-Hazards Mitigation Plan. Berlin's All-Hazard Plan contains a list of these facilities and includes the following:

- Police Department
- Ambulances/EMS 182 East Mason Street
- Berlin Fire Station 263 Main Street
- Berlin Police Department 135 Green Street
- Androscoggin Valley Hospital 59 Page Hill Rd
- Water Department 55 Willow Street
- Public Work Garage Jericho Road
- Sewer Department Devens Street
- Shelter, 3
- Sources of Communication, 6
- Evacuation Routes, Routes 16, 110, East Milan Road, Berlin Airport
- Bridges of Evacuation Routes
- Helicopter Landing Sites, 4
- Public Utilities, 4
- Transportation, public
- Other facilities not necessary for emergency response and facilities for population & protection

The following list was determined by the Team to be of importance specifically to wildfire situations. It consists of facilities listed within the All-Hazards Plan with additional facilities that were discovered through assessing wildfire issues. A brainstorming session concluded the following list to be specific to wildfire issues:

- Natural Gas Pipeline
- Wind Towers on Mount Forist
- Federal Prison
- State Prison
- Androscoggin Valley Hospital
- Coos County Nursing Home
- Mount Forist
- Mount Jasper
- Unincorporated place of Success
- Berlin High School
- Water Line from Godfrey Dam
- Berlin Fire Department

State of NH Administrative Rule - Env-Ws 361.02 General System Maintenance (a) Each public water system shall have a maintenance schedule for each of the following components of the system: (1) wells, reservoirs and intakes; (2) pump stations; (3) electrical equipment and controls; (4) water storage tanks; (5) distribution system; and (6) water treatment plants.



Photo credit: NH Forests and Lands

According to the NH Division of Forests & Lands, fire activity was very high during the first several weeks of 2006 fire season, with red-flag conditions issued by the National Weather Service and extreme fire danger in many sections of the state. In 2006, Coos County saw 30 fires which covered 104 acres mostly due to the Gorham fire.

Chapter V. What Affects Wildfire May Have

An Urban/Wildland Interface fire is a wildfire in a geographic area where structures and other human development meet or intermingle with wildland or vegetative fuels.



Photo credit, Karen Wattenmaker

According to the U.S. Fire Administration a Division of Homeland Security, in 2005 there were 66,552 wildfires reported throughout the country. These fires burned 8,686,753 acres costing \$875,713,000 in federal agency fire suppression.

A. IDENTIFYING VULNERABLE STRUCTURES

It is important to identify which structures may be affected by wildfire. Identifying these structures assists the Team in creating mitigation strategies and prioritizing those strategies. There are two main potential losses with a wildfire. The first is the forest itself. What wildlife habitat, forest resources and natural features may be affected by wildfire. In many cases the only time it is feasible for a community to control a forest fire is when it threatens the built/human environment. Therefore, this loss will not be the focus of calculation for this analysis.

The most significant threat to the built/human environment will take place within the interface between the forested or farmed land and the built environment. The Wildland Urban Interface (WUI) area was determined in collaboration with the NH Division of Forests & Lands and the US Forest Service. It was constructed to be approximately a 1/4 mile buffer outside the traditional development pattern of 300ft off the centerline of a road. All structures within this WUI were assumed to be at some level of risk and, therefore, vulnerable to wildfire. Justification for this can be found in Appendix G.

B. CALCULATING THE POTENTIAL LOSS

This section identifies areas in the community that are most vulnerable to these wildfires and estimates their potential loss. It is difficult to ascertain the amount of damage caused by a natural hazard because the damage will depend on the hazard's extent and severity, making each hazard event somewhat unique. In addition, human loss of life was not included in the potential loss estimates, but could be expected to occur, depending on the severity of the hazard.

The City of Berlin's All-Hazard Mitigation Plan presumed that a "small to medium size fire that destroys a small number of homes or damage from this hazard could be expected to range from \$180,000 to \$3,600,000, which would damage or destroy from one to 20 homes or more within the City."

Upon further analysis the Wildfire Planning process has produced a much more accurate assessment of the potential loss due to wildfire.

Structures that fell within the WUI were identified and catalogued. The assessed values for those structures within the WUI were researched through the City of Berlin's Assessing Office and costs were associated with each structure. Once the structures were identified the structures were compared to the Hazard Assessment map outlined in Chapter I. This enabled us to determine the severity of the potential fire on each structure within the City of Berlin.

Generally accepted damage estimates for flood hazards were then applied to wildfires

for structures within the WUI. These are:

High Risk receives about 49% damage = Fire Hazards with high and very high factors

Medium Risk receives about 28% damage = Fire Hazards with medium factors

Low Risk receives about 20% damage = Fire Hazards with low and very low factors

The analysis provided us with the following potential loss estimates. A breakdown of these numbers can be found within Appendix G.

Number of structures within a high risk area = 2

Number of structures within a medium risk area = 2

Number of structures within a low risk area= 16

Value of structures within a high risk area = \$ 122,500

Value of structures within a medium risk area= \$2,700

Value of structures within a low risk area= \$18,485,328

Estimated loss of structures within a high risk area= \$60,025.00

Estimated loss of structures within a medium risk area= \$756.00

Estimated loss of structures within a low risk area= \$3,697,065.60

Total estimate potential loss to structures within the City Berlin due to wild-
fire hazards = **\$3,757,846.60**

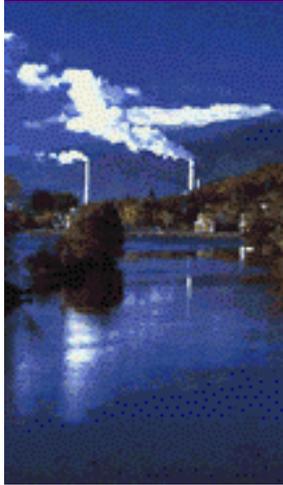
NOTE: It should noted that although the values of the structures within the WUI should be fairly accurate, the structures themselves may be limited by the dated GIS information within the City of Berlin. There may be newer structures that are not part of the GIS data layer that was available at the time of this planning process, which could make the total estimated loss even higher.



Courtesy NH Division of Forests & Lands—
New Hampton

Recent severe fire seasons have prompted a significant rise in funding of wildfire protection; wildfire appropriations in FY 2006 were more than \$2.5 billion. Most of the fund (\$2.4 billion in FY 2006) are to protect federal lands, with funds for reducing fuel loads, for equipment and training, for fighting fires, and for restoring burned sites. Federal funding (\$102 million FY 2006) also supports state efforts to protect non-federal lands. Some wildfire funding (\$69 million in FY2006) is used for fire research, fire facilities, and programs to improve forest health. Congress continues to debate wildfire funding levels, with a growing focus on the cost of wildfire suppression. (*Congressional Research Service Report RS21544*)

Chapter VI. Existing Policies & Regulations for Wildfire in Berlin



Credit: City of Berlin website

The following is a list of current policies and regulations adopted by the City of Berlin that protect people and property from natural disasters including wildfire. A complete outline of the policies, their purpose, responsible agents, effectiveness and recommended actions can be found within the All-Hazards Mitigation Plan for Berlin.

- | | |
|------------------------------------|------------------------------------|
| Emergency Operations Plans | Wetlands Protection |
| Zoning Regulations | Shoreline Protection Act |
| Building Code | Soil Conservation Program |
| NFIP Floodplain Ordinance | Hazardous Materials Team |
| Elevation Certificates | River Corridor Maintenance Program |
| Flood Warning System | Comprehensive Emergency |
| Road Design Standards | Management Planning for Schools |
| Bridge Design Standards | Tree Maintenance |
| Local Bridge Maintenance Program | City Master Plan |
| Storm Drainage/Culvert Maintenance | Emergency Back-up Power |
| State Dam Program | GIS Software and Data |
| Wellhead Protection Program | Emergency Management Committee |

City of Berlin regulations of specific interest to wildfire issues include:

◆ **General Zoning Ordinance for the City of Berlin**

Article XIII. 1305 (3)(b) Water Systems; “must provide adequate fire protection.”

Article XIII. 1306 (3) “planned commercial development shall be permitted only when served by adequate state-approved communal water system.”

Article XIII. 1307 (3) “planned industrial development shall be permitted only when served by adequate state-approved communal water system.”

Article XIV. 1407 Steep Slopes Overlay District; “to prevent development of slopes in excess of fifteen percent (15%).”

Article XIV. 1406 (1)(a) “to protect the wetlands, watercourse, surfaces and groundwater supplies & water bodies of the town from degradation.”

(g) “to prevent the expenditure of municipal funds for the purpose of providing and/or maintaining essential services and utilities...”

◆ Elevation Certificate, 2,750 ft is required.

The potential estimated Cost of damage due to Wildfire Hazards in Berlin is:

\$3,757,846.00



Credit: Division of Forests & Lands
Wildfire Sugar Hill '04

Chapter VII. Newly Identified Mitigation Strategies

A. HAZARD MITIGATION GOALS FOR THE CITY OF BERLIN, NH

Before identifying new mitigation actions to be implemented by the City of Berlin, the Wildfire Mitigation Planning Team established and adopted the following goals. These goals were developed from a number of sources, and were changed to reflect the City of Berlin's needs and desires.

1. Reduce the potential impacts of wildfires on public and private property.
2. Reduce the potential impacts of wildfires on the City of Berlin's infrastructure.
3. Improve the preparedness and communication network within the City of Berlin.
4. Reduce the cost of response and recovery to the City of Berlin caused by potential wildfires.
5. Reduce the City of Berlin's potential liability with respect to wildfires.
6. Identify and implement cost effective mitigation strategies to accomplish the goals and objectives.
7. Raise awareness of and acceptance of the Wildfire Mitigation Plan.
8. Work cooperatively with State and Federal agencies in designing a Wildfire Mitigation Plan.
9. Work cooperatively with the mutual aid system currently in place.

B. MITIGATION STRATEGIES DEVELOPED THROUGH THE ALL-HAZARDS MITIGATION PROCESS THAT COULD PERTAIN TO WILDFIRE

The following mitigation strategies were taken from the All-Hazards Mitigation Plan developed by the City.

- ⇒ Investigate the possibility of a student compiling a public information pamphlet and/or develop and distribute an "emergency card" to the public (include the type of response required of the public depending on the event.)
- ⇒ Need a comprehensive GIS system including public utilities and floodplains.

C. IDENTIFY MITIGATION STRATEGIES CURRENTLY UNDERWAY IN THE CITY OF BERLIN

Research was conducted to identify what was currently being addressed within the City of Berlin as well as on the State and Federal level. This allowed the Planning Team to address specific mitigation strategies with the knowledge of what regulations the City currently has in place that would make implementation more or less difficult. It also helped identify who may be responsible for implementation of mitigation strategies once they were identified.

- ◆ Fire Protection Code - Needs to be adopted by the Planning Board. Pending zoning ordinance to require sprinkler systems or other measures to allow for water supply issues when new developments are considered, and to look at

The City of Berlin has the authority under RSA 674:2 to incorporate this plan as a new section of the Berlin Master Plan. The City is currently undergoing a new Master Planning process.



Credit: NH Forests & Lands
Haverhill Fire '04

Mitigation is the first of the four phases of emergency management; **mitigation, preparedness, enforcement and recovery**. Tools and techniques to implement mitigation include land use planning, building codes and enforcement, fire regulations, zoning ordinances, and public education.



Courtesy US Forest Service



“Public risk perceptions concerning wildfire appear to affect residents’ support for policy alternatives to mitigate the risk. Many residents within the WUI communities had no direct experience with the devastating effects of wildfire and as result, tended to underestimate the risk.” *M.A. Reams et al. Forest Policy and Economics 7 (2005) 818-826.*



Courtesy NH Division of Forests & Lands—Holderness

the issues that currently exist with multi-family dwelling units.

D. POTENTIAL MITIGATION STRATEGIES FOR WILDFIRE

The following list of mitigation strategies was compiled from a number of sources including regional planning commissions in western US, the Forest Service and FEMA. The list was used during a brainstorming session to discuss what issues there may be within the City of Berlin.

Prevention Issues

- | | |
|---|--|
| Local building codes | Zoning ordinances |
| Subdivision ordinances | Density controls |
| Design review standards | Forest fire fuel reduction programs |
| Open space preservation initiatives | Performance standards |
| Slope development regulations | Special management regulations |
| Subdivision and development regulations | Emergency response plan |
| Capital improvement program | Fire Protection Codes NFPA 1 State of NH Wildland Issues |

Public Education and Awareness

- | | |
|----------------------------|--|
| Hazard information centers | Public education and outreach programs |
| Firewise | Defensible space brochure |
| Real estate disclosure | |

Property Protection

- | | |
|---------------------------------|--|
| Acquisition or easements | Current use or other conservation measures |
| Relocation of hazardprone areas | Transfer of development rights |

Natural Resource Protection

- | | |
|---|----------------------------------|
| Best management practices within the forest | Forest and vegetation management |
| Forestry and landscape management | Wetlands development regulations |

Emergency Services

- Critical facilities protection
- Hazard threat recognition
- Water availability
- Coordination issues
- Equipment necessary for response
- Emergency response services
- Hazard warning systems, sirens
- Water sustainability
- Evacuation routes

Mitigation strategies were brainstormed at one of the meetings but they were based on the following guidelines:

- Historic Fires
- WUI
- Potential new development
- Hazard Assessment
- Water supply
- Critical Resources

The following is a list of potential new mitigation strategies that the Team arrived at:

Public Awareness

- ⇒ Presentation of wildfire issues to the Neighborhood Watch Program in Berlin.
- ⇒ Advise the newly proposed Federal Prison about the “high risk” of wildfires that were mapped through the GIS analysis.
- ⇒ Educate the Route 110 Committee about wildfire issues.
- ⇒ Provide information about wildfires to the developer who is pursuing and interested in creating vacation homes surrounding Head Pond.
- ⇒ Provide proper wildfire training for employees that will be working in the new park at Jericho Lake.
- ⇒ Provide educational materials to camp owners in the unincorporated area of Success.
- ⇒ Create awareness training for ATV users and clubs.

Fuels Reduction

- ⇒ Reduce the fuel loading that has resulted from the installation of the gas pipeline. Slash was left along the pipeline.

Water Source Improvements

- ⇒ Construct a 30,000 gallon tank in the Cate’s Hill area that is feeling development pressure.
- ⇒ Obtain a grant for the Recycling Center to install a retaining tank.
- ⇒ Install a tank for the Mount Carberry, Androscoggin Refuge Regional District.
- ⇒ Complete a water resource plan for the City.

Response and Equipment Issues

- ⇒ Pursue grant funding in order to retrofit the current ATV the City has, and to purchase a second ATV, both to be used for remote water pumping on the numerous new recreational trails pending within the community.



Public Education became one of the more prominent mitigation strategies of the Planning Team for the Berlin Wildfire Mitigation Plan.



Photo courtesy US Forest Service



The City of Berlin is currently undergoing changes that could increase rural residential development. Mitigation strategies to provide water sources through new zoning ordinances was important to the Planning Team.





Courtesy NH Division of Forests & Lands

- ⇒ Map the emergency access points to trails, logging roads and other recreational points.
- ⇒ Finish mapping critical resources to include water resources and Godfrey Dam, and the gas pipeline.

REGULATORY

- ⇒ Update the City of Berlin’s CIP to include Wildfire Mitigation strategies within this document.
- ⇒ Pass an ordinance that would require sprinklers in homes within subdivisions and multi-family homes or to have sufficient water sources available prior to construction.



TODAY, The number one cause of forest fires in New Hampshire is debris burning.



Chapter VIII. Feasibility and Prioritization Proposed Strategies

The goal of each strategy is reduction or prevention of damage from a hazard event. In order to determine their effectiveness in accomplishing this goal, a set of criteria was applied to each proposed strategy that was developed by the Federal Emergency Management Administration. The STAPLEE method analyzes the **S**ocial, **T**echnical, **A**dministrative, **P**olitical, **L**egal, **E**conomic and **E**nvironmental aspects of a project and is commonly used by public administration officials and planners for making planning decisions. The following questions were asked about the proposed mitigation strategies discussed in Table 7.1:

- **Social:** Is the proposed strategy socially acceptable to the community? Are there equity issues involved that would mean that one segment of the community is treated unfairly?
- **Technical:** Will the proposed strategy work? Will it create more problems than it solves?
- **Administrative:** Can the community implement the strategy? Is there someone to coordinate and lead the effort?
- **Political:** Is the strategy politically acceptable? Is there public support both to implement and to maintain the project?
- **Legal:** Is the community authorized to implement the proposed strategy? Is there a clear legal basis or precedent for this activity?
- **Economic:** What are the costs and benefits of this strategy? Does the cost seem reasonable for the size of the problem and the likely benefits?
- **Environmental:** How will the strategy impact the environment? Will the strategy need environmental regulatory approvals?

Each proposed mitigation strategy was evaluated and assigned a score based on the above criteria. The Social, Administrative, Political and Economic criteria have been awarded the following scores (Good = 3, Average = 2, Poor = 1). An evaluation chart with total scores for each strategy can be found in the collection of individual tables under Table 8.1.

The ranking of strategies with the scores displayed in the following pages was merely a guideline for further prioritizing. The committee then prioritized the strategies and prepared the action plan using additional criteria:

- Does the action reduce damage?
- Does the action contribute to community objectives?
- Does the action meet existing regulations?
- Does the action protect historic structures?
- Can the action be implemented quickly?

The prioritization exercise helped the committee seriously evaluate the new hazard mitigation strategies that they had brainstormed throughout the Hazard Mitigation Planning process. While the actions would all help improve the Town's disaster responsiveness capability, funding availability will be a driving factor in determining what and when new mitigation strategies are implemented. The Hazard Mitigation Committee decided to prioritize the new strategies from high priority (1) to low priority (4) as they felt the need to implement a few simultaneously, and attributed the



Credit Andrea Booher / FEMA



The STAPLE Method helps communities determine mitigations strategies by analyzing the impacts each strategy may have and evaluating strategies in a consistent manner.



Photo credit Bryan Dahlberg/ FEMA

Table 8.1: STAPLEE Analyses of Proposed Mitigation Strategies

Mitigation Action: Presentation of wildfire issues to the Neighborhood Watch Program in Berlin.

1 CRITERIA		EVALUATION RATING	SCORE
S	Is it Socially acceptable?	It would be comforting for people to know there is access to remote areas.	3
T	Is it Technically feasible and potentially successful?	This would consist of educational and outreach materials	3
A	Is it Administratively workable?	There is already scheduled meetings for this group	3
P	Is it Politically acceptable?	The City officials would be very supportive of this type of initiative	3
L	Is there Legal authority to implement?	There is no legal authority necessary to distribute information	3
E	Is it Economically beneficial?	It would be very beneficial financially for preparation as opposed to wildfire response and recovery	3
E	Are other Environmental approvals required (e.g., EPA)?	No permit necessary for information distribution	3
FINAL SCORE			21

Mitigation Action: Advise the newly proposed Federal Prison project about the ‘high risk’ of wildfire according to the data gathered through this process.

8 CRITERIA		EVALUATION RATING	SCORE
S	Is it Socially acceptable?	The Federal Prison is welcomed and anticipated as an economic development strategy and anything negative towards its implementation could be perceived as unfriendly	1
T	Is it Technically feasible and potentially successful?	Information distribution doesn’t require any significant technical expertise	3
A	Is it Administratively workable?	There is minimal administrative work	3
P	Is it Politically acceptable?	There would be support for this type of preparation for new construction	3
L	Is there Legal authority to implement?	There is no legal authority to prevent information distribution	3
E	Is it Economically beneficial?	It would be very beneficial financially for preparation as opposed to wildfire response and recovery	3
E	Are other Environmental approvals required (e.g., EPA)?	No permit necessary for information distribution	3
FINAL SCORE			19

Mitigation Action: Educate Route 110 Committee about wildfire issues.

2 CRITERIA		EVALUATION RATING	SCORE
S	Is it Socially acceptable?	This group is interested in the development and its effects on the Route 110 corridor, it is a perfect opportunity to educate residents about fuel loading issues and firewise techniques .	3
T	Is it Technically feasible and potentially successful?	The group already meets on a regular basis	3
A	Is it Administratively workable?	The only coordination and materials needed are relatively easy to package	3
P	Is it Politically acceptable?	There would not be any political opposition to education initiatives such as this.	3
L	Is there Legal authority to implement?	There is no legal authority necessary to conduct this type of meeting	3
E	Is it Economically beneficial?	It would assist the Chief and other City officials in reducing costs	3
E	Are other Environmental approvals required (e.g., EPA)?	No permit necessary for educational programs	3
FINAL SCORE			21

Mitigation Action: Pursue grant funding to retrofit the current ATV and purchase a second ATV for remote water pumping.

3 CRITERIA		EVALUATION RATING	SCORE
S	Is it Socially acceptable?	There may be issues with costs on the City budget	2
T	Is it Technically feasible and potentially successful?	The City currently has the capacity to write and apply for these types of grants	3
A	Is it Administratively workable?	The City currently has the authority to apply for funding	3
P	Is it Politically acceptable?	The current administration would be supportive of this type of initiative	3
L	Is there Legal authority to implement?	The Fire Chief has the authority to apply for funding	3
E	Is it Economically beneficial?	It would be very beneficial financially for preparation as opposed to wildfire response and recovery	3
E	Are other Environmental approvals required (e.g., EPA)?	No permit necessary for applying for funding.	3
FINAL SCORE			20

Mitigation Action: Provide wildfire information to the developer who has expressed interest in creating vacation homes surrounding Head Pond about wildfires.

4 CRITERIA		EVALUATION RATING	SCORE
S	Is it S ocially acceptable?	Developer may perceive this as a deterrent to business	2
T	Is it T echnically feasible and potentially successful?	It would be relatively simple to implement	3
A	Is it A dministratively workable?	There are no administrative difficulties	3
P	Is it P olitically acceptable?	City officials would be supportive of this effort	3
L	Is there L egal authority to implement?	There is no legal authority necessary to distribute information	3
E	Is it E conomically beneficial?	It would be very beneficial financially for preparation as opposed to wildfire response and recovery	3
E	Are other E nvironmental approvals required (e.g., EPA)?	No permit necessary for information dissemination	3
FINAL SCORE			20

Mitigation Action: Update the City of Berlin’s Capital Improvement Program to include Wildfire Mitigation Strategies created through this process.

5 CRITERIA		EVALUATION RATING	SCORE
S	Is it S ocially acceptable?	Fire issues are generally well received by citizens	3
T	Is it T echnically feasible and potentially successful?	There is a standard procedure for addressing revisions to the City’s CIP	3
A	Is it A dministratively workable?	There may be issues working with other Dept. and the City Council process	2
P	Is it P olitically acceptable?	There may be issues with City officials to updating the CIP	2
L	Is there L egal authority to implement?	The Fire Chief has the authority to request this.	3
E	Is it E conomically beneficial?	It would be very financially beneficial to the Fire Dept.	3
E	Are other E nvironmental approvals required (e.g., EPA)?	No permit necessary for asking for funding	3
FINAL SCORE			19

Mitigation Action: The emergency access points to trails, logging roads and other recreational points should be mapped.

6 CRITERIA		EVALUATION RATING	SCORE
S	Is it S ocially acceptable?	It would be comforting for people to know there is access to remote areas	3
T	Is it T echnically feasible and potentially successful?	There may be capacity issues with creating a mapping product	2
A	Is it A dministratively workable?	It may be difficult to coordinate with State trails, snow machine and ATV clubs and others where trails are, information release may be issue	2
P	Is it P olitically acceptable?	City officials would be supportive of this effort	3
L	Is there L egal authority to implement?	There is no legal authority necessary to collect this data	3
E	Is it E conomically beneficial?	It would be very beneficial financially for preparation as opposed to wildfire response and recovery	3
E	Are other E nvironmental approvals required (e.g., EPA)?	No permit necessary for information collection	3
FINAL SCORE			19

Mitigation Action: Finish mapping critical resources to include water resources and Godfrey Dam and the gas pipeline.

7 CRITERIA		EVALUATION RATING	SCORE
S	Is it S ocially acceptable?	It would be helpful for the City to have this information available	3
T	Is it T echnically feasible and potentially successful?	There may be costs associated with producing these deliverables	2
A	Is it A dministratively workable?	Coordination issues	2
P	Is it P olitically acceptable?	The City officials should be supportive of this effort	3
L	Is there L egal authority to implement?	There is no legal authority necessary.	3
E	Is it E conomically beneficial?	It would be very financially beneficial to the Fire Dept.	3
E	Are other E nvironmental approvals required (e.g., EPA)?	No permit necessary for data collection	3
FINAL SCORE			19

Mitigation Action: Construct a 30,000 gallon tank in the Cate Hill area

9 CRITERIA		EVALUATION RATING	SCORE
S	Is it Socially acceptable?	Certain residents could have issues with the aesthetics of the water tower	2
T	Is it Technically feasible and potentially successful?	The City currently has the capacity to install this facility, however, because of aesthetic issues it may be suggested to put the tank underground	3
A	Is it Administratively workable?	There would be some logistics involved with implementing this project	2
P	Is it Politically acceptable?	There may be some opposition to the implementation of this due to cost	2
L	Is there Legal authority to implement?	There is legal authority for this project with the City	3
E	Is it Economically beneficial?	It would be very beneficial for preparation as opposed to wildfire response and recovery. Additionally, as time goes on these projects will continue to increase in cost	3
E	Are other Environmental approvals required (e.g., EPA)?	Permits would be necessary	2
FINAL SCORE			17

Mitigation Action: Provide proper wildfire training for employees that will be working in the new park at Jericho Lake.

10 CRITERIA		EVALUATION RATING	SCORE
S	Is it Socially acceptable?	Fire issues are generally well received by citizens	3
T	Is it Technically feasible and potentially successful?	Information distribution requires only coordination efforts	3
A	Is it Administratively workable?	There is minimal administrative work	3
P	Is it Politically acceptable?	The City would be inquiring of the State to train their workers	2
L	Is there Legal authority to implement?	The State Bureau of Trails would need to provide the training necessary for employees	1
E	Is it Economically beneficial?	It would be very beneficial for preparation as opposed to wildfire re-	2
E	Are other Environmental approvals required (e.g., EPA)?	No permit necessary for information disbursement	3
FINAL SCORE			17

Mitigation Action: Provide education materials to camp owners in the unincorporated area of Success.

11 CRITERIA		EVALUATION RATING	SCORE
S	Is it S ocially acceptable?	Many of the current camp owners may not be interested in information that could be conceived as regulatory or leading to regulation	2
T	Is it T echnically feasible and potentially successful?	It may be difficult to reach all camp owners, and many live outside the region	2
A	Is it A dministratively workable?	There is no current communication infrastructure set up	1
P	Is it P olitically acceptable?	There may be some opposition to the implementation of this due to historic cultural issues	2
L	Is there L egal authority to implement?	The Fire Chief is responsible for the unincorporated area of Success	3
E	Is it E conomically beneficial?	It would be very beneficial financially for preparation as opposed to wild-fire response and recovery	3
E	Are other E nvironmental approvals required (e.g., EPA)?	There would not be any permits necessary to complete the project	3
FINAL SCORE			16

Mitigation Action: Obtain a grant for the Recycling Center to install a retaining tank

12 CRITERIA		EVALUATION RATING	SCORE
S	Is it S ocially acceptable?	Certain residents could have issues with the aesthetics of the water tank	2
T	Is it T echnically feasible and potentially successful?	The City currently has the capacity to install this facility, because of social and political issues it may be suggested to put the tank underground	3
A	Is it A dministratively workable?	There would be some logistics involved with implementing this project	2
P	Is it P olitically acceptable?	There may be some opposition to the implementation of this due to cost	2
L	Is there L egal authority to implement?	There is legal authority for this project within the City	3
E	Is it E conomically beneficial?	Although it is a growing necessity, the number of homes and properties this would serve is not as great as some other projects	1
E	Are other E nvironmental approvals required (e.g., EPA)?	There would be permits necessary to complete the project	3
FINAL SCORE			16

Mitigation Action: Pass a local ordinance that would require sprinklers in homes within subdivisions and multi-family homes or to have a sufficient water source available.

13 CRITERIA		EVALUATION RATING	SCORE
S	Is it S ocially acceptable?	Many current home owners would be effected by this ordinance because it would not grandfather previously built homes	1
T	Is it T echnically feasible and potentially successful?	There needs to be enforcement of the ordinance	2
A	Is it A dministratively workable?	Procedures for implementing ordinances are readily practiced	3
P	Is it P olitically acceptable?	Impact on individuals is great enough to cause some political pressure to defeat this measure	1
L	Is there L egal authority to implement?	The City Council needs to adopt	2
E	Is it E conomically beneficial?	It would be very beneficial financially for preparation as opposed to wild-fire response and recovery.	3
E	Are other E nvironmental approvals required (e.g., EPA)?	There would not be any permits necessary to complete the project	3
FINAL SCORE			15

Mitigation Action: Install a tank for Mount Carberry, Androscoggin Valley Refuge Regional District.

14 CRITERIA		EVALUATION RATING	SCORE
S	Is it S ocially acceptable?	There would not be aesthetic issues with this tank since no residences are located in the area	3
T	Is it T echnically feasible and potentially successful?	The City currently has the capacity to install this facility.	3
A	Is it A dministratively workable?	There would be sufficient capacity to implement	3
P	Is it P olitically acceptable?	There may be some opposition to the implementation of this due to cost	2
L	Is there L egal authority to implement?	The City would have to work with the District	1
E	Is it E conomically beneficial?	This would help deal with issues that may arise from wildfires, but there is no facility at stake, the issue is burning waste from the landfill	2
E	Are other E nvironmental approvals required (e.g., EPA)?	There would be permits necessary to complete the project	1
FINAL SCORE			15

Mitigation Action: Create awareness training for ATV users and clubs

15 CRITERIA		EVALUATION RATING	SCORE
S	Is it S ocially acceptable?	There would need to be good publicity in order to encourage ATV users and clubs to hear the information	2
T	Is it T echnically feasible and potentially successful?	There could be coordination issues with the numerous participants	2
A	Is it A dministratively workable?	Coordination issues with a number of entities, users, etc.	1
P	Is it P olitically acceptable?	Anything that may be perceived as inhibiting the use of the new ATV park at Jericho Lake would not be readily acceptable	2
L	Is there L egal authority to implement?	There is no legal authority that governs ATV users other than the clubs, the City has no regulatory control	1
E	Is it E conomically beneficial?	It would be beneficial to the wildfire effort to have informed recreationists	3
E	Are other E nvironmental approvals required (e.g., EPA)?	There would not be any permits necessary to complete the project	3
FINAL SCORE			14

Mitigation Action: Reduce fuel load that has been building with the slash left behind on the pipeline.

16 CRITERIA	EVALUATION RATING	SCORE
S Is it S ocially acceptable?	There would not be any opposition to this project	3
T Is it T echnically feasible and potentially successful?	Accessibility is very difficult and may be expensive	1
A Is it A dministratively workable?	There would be a number of land owners to coordinate with	2
P Is it P olitically acceptable?	There may be some reservation about necessity of this project, cost responsibility would need to be negotiated	2
L Is there L egal authority to implement?	The pipeline is not owned by the City of Berlin	1
E Is it E conomically beneficial?	This could be a very expensive operation, and may not be worth undertaking.	1
E Are other E nvironmental approvals required (e.g., EPA)?	There are no permits that would be required	3
FINAL SCORE		13

Mitigation Action: Complete a water resource plan for the City of Berlin

17 CRITERIA	EVALUATION RATING	SCORE
S Is it S ocially acceptable?	There would not be any community issues with this data gathering and analysis	3
T Is it T echnically feasible and potentially successful?	There are no technical issues associated with completing this project, and it is a free service to the communities	3
A Is it A dministratively workable?	There is time constraints on data gathering and analysis on the part of the Berlin Fire Dept.	2
P Is it P olitically acceptable?	There should not be any issues associated with data gathering and analysis	3
L Is there L egal authority to	There are no legal issues associated with data collection and analysis	3
E Is it E conomically beneficial?	It would be beneficial to the wildfire effort to have this information available	3
E Are other E nvironmental approvals required (e.g., EPA)?	There would not be any permits necessary to complete the project	3
FINAL SCORE		20

Chapter IX. Implementation Schedule for Prioritized Strategies

After prioritization of each of the strategies using the STAPLEE system and other criteria, the committee developed the actual action plan that outlines who is responsible for implementing each strategy, as well as when and how the actions will be implemented. The following questions were asked to develop an implementation schedule for the identified priority mitigation strategies.

WHO? Who will lead the implementation efforts? Who will put together funding requests and applications?

WHEN? When will these actions be implemented, and in what order?

HOW? How will the community fund these projects? How will the community implement these projects? What resources will be needed to implement these projects?

In addition to the prioritized mitigation projects, Table 9.1 includes the responsible party (WHO), how the project will be supported (HOW), and what the timeframe is for implementation of the project (WHEN).

Some projects, including most training and education of residents on emergency and evacuation procedures could be tied into the Emergency Operation Plan and implemented through that planning effort.

Appendix H provides a list of wildfire agency hierarchy so that the Planning Team is better able to understand the complexity of dealing with communication, response, and coordination efforts the Fire Department and other response teams are faced with.



Photo credit Andrea Booher/ FEMA

The National Wildland Fire Coordinating Group was created to coordinate programs of the participating wildfire management agencies so as to avoid wasteful duplication and to provide a means of constructively working together. Its goal is to provide more effective execution of each agency's fire management program.

Rank	Project	Responsibility/Oversight	Funding/Support	Timeframe
1	Presentation of wildfire issues to the Neighborhood Watch Program	Chief Trull and NH Forests & Lands	City budget/state budget	1 year
1	Complete a water resource plan for the City of Berlin	Chief Trull/North Country RC&D	Federal funding already awarded	6 months
1	Advise the newly proposed Federal Prison project about the 'high risk' of wildfire according to the analysis done	City Planner	No funds necessary	6 months
2	Educate the Route 110 Committee about wildfire issues	Chief Trull	No funding necessary	1 year
2	Pursue grant funding to retrofit the current ATV and purchase a second ATV for remote water pumping	Chief Trull	Federal and State grants as well as City Funding	2 to 3 years
2	Provide information about wildfire issues to the developer who has expressed interest in creating vacation homes surrounding Head Pond	Chief Trull and City Planner	No funds necessary	1 year
2	Update the City of Berlin's Capital Improvement Program to include Wildfire Mitigation strategies created through this process	Planning Board	City budgeting process	18 months
2	Map the emergency access points at Jericho Lake recreation area	DRED	State funding	Within 2 years
3	Finish mapping critical resources to the City to include Godfrey Dam and gas pipeline	Fire Chief/NH Technical College	Potential student involvement with minimal cost/or City funding	18 months
3	Construct 30,000 gal. tank in the Cate Hill area	Developer/City of Berlin	State grants/City of Berlin/developer	2-4 years
3	Provide proper wildfire training for employees that will be working in the newly est. Jericho Park	DRED	State budget	2 years and ongoing
3	Provide educational materials to camp owners in the unincorporated area of Success	DRED/Fire Warden	State funding, minimal	1-year
4	Obtain grant for the Recycling Center to install a retaining tank	Chief Trull	State funds/Recycling Center	2-4 years
4	Pass a local ordinance that would require sprinklers within subdivisions and multi-family homes to have sufficient water sources available	City Planner/City Council/Chief Trull	No funds necessary	18 months
4	Install tank for the Mt. Carberry, Androscoggin Valley Refuge Regional District	District/City of Berlin/Chief Trull	Federal and State funding/City funds/District funding	3-5 years
4	Create awareness training for ATV users and clubs	DRED Trails Bureau	State funds	2-4 years and ongoing
4	Reduce fuel load along the pipeline	Chief Trull	Federal and State grants/Pipeline owners	3-5 years

CHAPTER X. MONITORING, EVALUATION AND UPDATING THE PLAN

Recognizing that many mitigation projects are ongoing, and while in the implementation stage communities may suffer budget cuts, experience staff turnover, or projects may fail altogether, a good plan needs to provide for periodic monitoring and evaluation of its successes and failures and allow for updates to the Plan where necessary.

In order to track programs and update the Mitigation Strategies identified through this process, the City will revisit the *Wildfire Mitigation Plan* annually or after a hazard event. The Emergency Management Director and the Fire Chief are responsible for initiating this review and need to consult with members of the Wildfire Mitigation Planning Team identified in this Plan.

Changes should be made to the Plan to accommodate projects that have failed or are not considered feasible after a review for their consistency with STAPLEE, the timeframe, the community's priorities and funding resources. Priorities that were not ranked high, but identified as potential mitigation strategies, should be reviewed as well during the monitoring and update of this Plan to determine feasibility of future implementation. In keeping with the process of adopting this Fire Mitigation Plan, a public hearing to receive public comment on Plan maintenance and updating will be held during the annual review period and the final product adopted by the Board of Selectmen. Appendix I provides a draft resolution for the City of Berlin to use once a response from FEMA is received.

Prior to initiating this process, the City of Berlin entered into a Memorandum of Understanding stating that they would follow up on this process and ensure that the funds necessary for certain mitigation strategies were addressed in future Capital Improvement Programs.



Photo credit Raymond Godbout

NH RSA 227-L:13: Public Duties; Penalties.

I. It shall be the duty of any person who discovers a woodland fire not under control or supervision of some person to extinguish it or report it immediately to the warden or deputy warden or other public official.



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Appendix A. Press Release

North Country Council, Inc.

Cottage at the Rocks
107 Glessner Road
Bethlehem, NH 03574

News Release

FOR IMMEDIATE RELEASE

11-13-06

Contact: Christine Walker
603-444-6303 ext 14

CITY OF BERLIN COMMENCES WILDFIRE HAZARD MITIGATION PLAN

The City of Berlin will be conducting a Wildfire Hazard Mitigation Planning process over the next couple of months. On November 7th Berlin's Fire Chief Trull met with Laura Viger, the City's Emergency Management Director, Steven Sherman, Forest Ranger with the DRED Forest Protection Bureau and others to discuss creating an addendum to the City's All-Hazards Mitigation Plan created in 2004.

The ecological, social and economic costs of wildfires are escalating in the United States. While lightning-caused wildfires are a common phenomenon in much of the western United States, increasing population density at the wildland-urban interface has led to more human causes of fires. In 2005, federal agencies alone spent \$875,713,000 for wildfire suppression. While large scale wildfires are generally associated with western states, New Hampshire reported 495 wildfires in 2006 as of November 13th.

A Planning Team is currently being formed that will establish priorities, cooperate on activities, and increase public awareness and participation to reduce the wildfire risks to communities and surrounding lands. The first official meeting will be held on November 28th at the fire station in Berlin. This meeting will cover an introduction to Wildfire Mitigation Planning, will formally introduce the Planning Team and collect data necessary to begin the process. The general public is encouraged to attend. Information that would be beneficial to the planning process includes valuable knowledge of fire history. Residents also have the most to gain from participating in community-level education, co-ordination, and other fire efforts concerning wildfires surrounding rural residential areas. Local site-specific knowledge of and experience with the terrain, past fire behavior and locations for emergency fire lines, could save lives, time and money during emergencies.

If you are interested in participating or wish to be kept informed of the process, please contact Chief Trull at 603-752-3135.

Wildfire Mitigation Planning is a preparedness tool. In an effort to reduce some of the costs of suppression and reduce the incidents of potential losses, the New Hampshire Bureau of Emergency Management has awarded North Country Council funding in order to assist communities in the North Country in developing these plans. If you wish to have your community participate in this process, please contact Christine Walker at 603-444-6303 ext 14.

Appendix B. Memorandum of Understanding

***Memorandum of Understanding
For the
Wildfire Hazard Mitigation Plan
Between
City of Berlin
And
North Country Council***

Purpose

As part of the Wildfire Mitigation Planning Program, a Memorandum of Understanding (MOU) should be executed between the City of Berlin and North Country Council. The plan created as a result of this MOU will be presented to the Planning Board and City Council for adoption.

When adopted, plans provide guidance to city boards, commissions, and departments. Adopted plans serve as a guide and do not include a specific financial commitment by the city. All adopted plans should address mitigation strategies for reducing the risk of wildfire on life and property within the City.

The intent of this MOU is to ensure that the mitigation plan is developed in an open manner involving community stakeholders, federal and state organizations whose mission it is to prepare and respond to wild fires in the region, and local officials. It is also the intent of this MOU that it is consistent with City policies and is an accurate reflection of the community's values and is integrated within other community planning initiatives. Its purpose is to form a working relationship between citizens of the City of Berlin and the planning team for the Wildfire Hazard Mitigation Plan.

This MOU sets out the responsibilities of all parties. The MOU identifies the work to be performed by the planning team the community. Specific tasks, schedules and finished products are identified within a separate work plan.

Responsibilities

COMMUNITY WILDFIRE PLANNING TEAM RESPONSIBILITIES

- Ensure that the planning team includes representatives such as community stakeholders, the local Emergency Management Direct, the local Fire Chief, federal and state organizations whose mission it is to prepare and respond to wild fires in the region, local officials, property owners, and relevant businesses or organizations. Determine a planning coordinator that will be the lead contact to North Country Council
- Offer assistance to North Country in developing the work program which will produce the Wildfire Hazard Mitigation Plan.
- Organize regular meetings for the planning team in coordination with the North Country Council.
- Assist North Country Council with organizing public meetings to develop the plan.
- Identify the community resources available to support the planning effort, including people who will have access to pertinent data.
- Assist with recruiting participants for planning meetings, including the development of mailing lists when and if necessary, distribution of flyers, and placement of meeting announcements in the community.
- Gain the support of stakeholders for the recommendations found within the plan.
- Keep the City informed and offer opportunity for their review at various stages of the planning process.
- Forward local information, such as anecdotal information from the community to be incorporated into the proposed plan.
- Submit the proposed plan to the Planning Board and City Council for consideration.
- After adoption, develop a Committee to monitor and work toward plan implementation.
- After adoption, publicize the plan to the City and ensure community members are aware of the plan and its contents.
- After adoption, urge the Planning Board to incorporate those priority projects found most important into the community's CIP.

NORTH COUNTRY COUNCIL RESPONSIBILITIES

- Collect data necessary to complete the Wildfire Hazard Mitigation Plan in a comprehensive manner.
- Coordinate and facilitate community meetings with the assistance of the local planning committee.
- Provide any materials, handouts, displays, and tools necessary for the public to fully understand the planning process.
- Work with the planning team to collect and analyze data. Take public input from community members and ensure that this input becomes part of the Mitigation Plan.
- Facilitate the development of goals and objectives and implementation strategies for the Wildfire Hazard Mitigation Plan.
- Coordinate with other federal, state and local agencies throughout the process. Ensure that a collaborative environment is created with all interested parties.
- Assist the planning team with presentation of the plan to the City Planning Board and City Council.
- Assist the planning team with understanding the process of monitoring implementation, educating the public and incorporating the plan with the City's CIP.
- Delineate the communities Wild land Urban Interface.
- Create a Wildfire Hazard Assessment that outlines the severity of wildfire risk throughout the community.
- Write, edit and prepare the plan for review and final publication.
- Ensure that the plan receives approval from FEMA.
- Ensure that the plan receives approval from the US Forest Service as a Community Wildfire Protection Plan.

Appendix C. Matrix of Risk Analysis

	<u>Virginia Department of Forestry Woodland Home Wildfire Hazard Assessment</u>	<u>The Healthy Forests Initiative and Healthy Forests Restoration Act Interim Field Guide</u>	<u>Wildfire Hazard/Risk Evaluation for Colorado Springs, CO</u>	<u>Firewise Wildland Fire Risk and Hazard Severity Assessment Form</u>	<u>Larimer County Wildfire Mitigation Plan</u>	<u>North County Wildfire Mitigation Risk Analysis</u>
<u>Vegetative Type</u>	Distinguished between Hardwoods (0-4 points) / Conifers(0-10 points) /Mixed Hardwoods(0-6 points) each category is broken down into: No trees within 30 feet 10 trees within 30 feet 10-20 trees within 30 feet 20+ trees within 30 feet Type of ground cover; Sand gravel etc., = 0, grasses up to 6" tall = 2, grasses 6-12" = 4, grasses > 12" = 6, shrubs with leaves = 3, shrubs with needles = 5.	Vegetative type	Grasslands vs. hillsides	Characteristics; light (grasses, forbs, saw-grasses, and trundra) NFDRS Fuel models A, C, L, N, S and T = 5 points, Medium (light brush and small trees) NFDRS D, E, F, H, P, Q, and U = 10, Heavy (dense brush, timber, and hardwoods) NFDRS B, G, and O = 20, Slash (timber harvesting residue) NFDRS J, K and L = 25	Conifers and broadleaves, The initial vegetation information is broken into classes at 30 -70% cover, with the least vegetative being the least hazardous. Points range from 0 -20. Crown fire potential is produced by isolating areas with coniferous trees with trunk sizes over 5" in diameter (DBH), then split into three classes, conifer over 70% cover most hazardous, over 30% cover modest, < 30% least points from 0-10.	Vegetation cover based 2001 NH Land Cover Assessment Database range from 0-7
<u>Fuels</u>	Underbrush and low branches; no = 0, yes = 5 Firewood and fuels storage; located 0-3 feet from structure = 5, 3-30 feet from structure = 3, more than 30 = 1. Brush piles; None = 0, located 0-3' from structure = 6, located 3-30' = 3, located more than 30' = 2 Flammable materials storage; None = 0, located 0-3' from structure = 3, located 3-30' = 2, located more than 30' = 1.		Grass, brush, timber – fuel types			Covered from vegetation type
<u>Elevation</u>			Elevation		Broken down at 3000 to 5000' lower elevations considered more hazardous. Range from 0-2 points.	

Matrix of Risk Analysis

<u>Slope</u>		Slope in 15% intervals	< 9% = 1, 10-20% = 4, 21-30% = 7, 31-40% = 8, > 41% = 10. Building set back relative to slope; > 30' = 1, < 30' = 5	Slopes are in three classes broken at 25 to 40% values. Values are 0-3 points	Slope using soils Database from Natural Resource Conservation Service. 0-3% = 1, 3-8% = 4, 8-15% = 7, 15-25% = 8 greater than 25% = 10.
<u>Aspect</u>		Aspect; east, west, north, south		Aspect is broken down into three classes. Range from 0-north to 5-south, corresponding roughly to the amount of insulation or sun exposure expected on a site.	North = 1, northeast = 2, northwest = 3, east = 4, west = 5, southeast = 6, southwest = 7, south = 8.
<u>Materials</u>		Structure Density			
<u>Recognition of buildings/streets</u>		Address visibility Yes or No	Street signs; present = 0, not present = 5.		Street signs data from Highway dept.
<u>Roofing materials</u>	Metal or tile = 0, asphalt shingles or rolled roofing = 3, wood = 6	Roofing material; metal, asphalt shingle, composite	Class A roof = 0, Class B = 3, Class C = 15, non rated = 25	Shake shingle = 30 other roofs = 0	
<u>Foundation materials</u>	Concrete or metal = 0, enclosed with wood sheet(h?) = 3, open = 5.				
<u>Siding materials</u>	Brick, stone or metal = 0, vinyl or wood = 4. Deck or overhangs; yes = 4, no = 0.	Siding material; grass, concrete masonry or stucco, fiberglass metal or tile, wood	Noncombustible fire resistive siding, eaves/decks = 0, noncombustible resistive siding, combustible deck = 5, combustible siding and decks = 10		
<u>Defensible Space</u>		Defensible space; 100-200ft, 30-60, 20-30, > 20ft to woods.	> 100 ft. of vegetative treatment from structures = 1, 70-100' = 3, 30 - 70' = 10, < 30' = 25	Internal rating from database of homes received grant funding from the state either 0 or 30 points.	Buffered all buildings within the community and compared it to vegetation cover; > 100' from vegetation = 1, 71-100' = 3, 30-70' = 10, less than 30' = 25points.

Matrix of Risk Analysis

<u>Hydrants or water sources</u>	Useable water supply nearby = -1	Potential for water system infrastructure that is within the 100-year floodplain Lands close to watershed where conditions pose a significant risk from fire Probability of disruption to community water system	Hydrant accessibility; excellent, good, fair, poor	Pressurized sources; < 1000' apart = 0, > 1000' apart = 1 Non pressurized sources; continuous 2 hours at > 250 gpm = 3, continuous 2 hours < 250 gpm = 5. Water unavailable = 10	Buffer hydrants and available water sources.
<u>Response Time</u>			Response time; no structure, 5min, 5-6 min, 6-8min, < 8 min.	Station is < 5 miles from structure = 1, > 5 miles from structure = 3	Outside fire district with wildland response time over 20 min = 36 points, under 20 min = 15, inside the fire district with structural response over 10 min = 8, response under 10 min = 0.
<u>Soils</u>		Soil textures			To create slope
<u>Road Ingress/Egress</u>			Ingress/Egress; major routes, secondary, minor, private streets	Two or more roads = 0 one road in/out = 7. Road width; >24' = 0, 20-24' = 2, < 20' = 4. Surface road grade < 5% = 0, Surfaced road grade > 5% = 2, non surfaced road grade < 5% = 2, non surfaced road grade > 5% = 5, other than all-season = 7. Access; < 300' with turnaround = 0, > 300' with turnaround = 2, < 300' without turnaround = 4, > 300' without turnaround = 5,	Dead end roads or outside 300' buffer of roads = 30, other = 0.
<u>Outbuildings</u>	Are there outbuildings within 20 feet of structure; yes = 3, no = 0.				Road width greater than 24' = 0, 20-24' = 2, less than 20' = 4. Ingress/egress; two or more roads = 0, one road in/out = 5.
<u>Weather</u>				areas of periodic exposure to fire, weather, strong dry winds = 0-5	Weather is the single most important factor and was given 40 points total.

Matrix of Risk Analysis

<p><u>Hazard Mitigations</u></p>	<p>Practice open burnings; yes = 3, no = 0. Trees are pruned up to 6' within 30' of home = -2, grass kept watered = -2, leaves raked = -2, 3' of gravel to fight fire near home = -1. Regularly cleaned roof = -2, non-flammable skirting on decks = -2,</p>	<p>Predicted fire severity Stream gradients and soil erodibility estimates Precipitation intensity Number of people served in a community Percent of municipal watershed area admin. by BLM and USDA No guidance given on severity or priorities.</p>	<p>Low = 0-10 points, moderate = 11-20 points, high = 21-40, extreme = > 40.</p>	<p>Fixed protection, NFPA 13, 13R, 13D sprinkler system = 0, none = 5.</p>	<p>Areas of historic fires = 0-5, Separation from other buildings prone to fire = 0-5.</p>	<p>Low = < 40 points, moderate = 40 - 69, high = 70 - 112, extreme > 112.</p>	<p>Low, moderate, high, very high, extreme. Compilation of factors unknown.</p>	<p>Community Education component 0-4 points</p>	<p>Historic fires, they have a 35-year data base. Number of ignitions with 1000 acres. The break points are .5 - 10 ignitions/1000 acres/10 years. Values range from 5-40. Values of property based on assessment and taxation database in conjunction with tax lots and building footprints values ranging from 0-50.</p>	<p>Historic fires from information gathering at public meetings.</p>	<p>Based on total points and divided into four categories Low, Moderate, High, and Extreme.</p>
<p><u>Other</u></p>	<p>Many other misc. such as knowledge of phone number</p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>
<p><u>Risk Totals/</u></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	

Appendix D. Wildfire Hazard Assessment Map

SEE INSERT

Appendix E. Press Release Inviting Public to Review Plan

Appendix F. Meeting Agendas & Notes

SEE INSERTS

Appendix G. Mapped Historic Wildfires In Berlin

SEE INSERT

Appendix H. Assessed Value of Parcels within the WUI in Berlin

Parcels within the WUI in Berlin				
Parcel NUM	Assessed Value 2005	Hazard Assessment H (.49),M (.28) ,L (.20)	Estimated Damage	
139-23	\$0.00		\$0.00	
402-19	\$16,800.00	0.2	\$3,360.00	
402-16	\$20,000.00	0.2	\$4,000.00	
404-11	\$82,300.00	0.2	\$16,460.00	
403-14.2	\$0.00		\$0.00	
407-10	\$42,300.00	0.2	\$8,460.00	
106-28	\$79,900.00	0.2	\$15,980.00	
102-1	\$15,300.00	0.2	\$3,060.00	
125-59	\$118,300.00	0.49	\$57,967.00	
126-71	\$3,000.00	0.2	\$600.00	
105-9	\$900.00	0.28	\$252.00	
105-10	\$1,800.00	0.28	\$504.00	
105-5	\$4,200.00	0.49	\$2,058.00	
129-55	\$18,225,728.00	0.2	\$3,645,145.60	
129-54.1	\$0.00		\$0.00	
128-262	\$0.00		\$0.00	
129-49	\$0.00		\$0.00	
111-134	\$0.00		\$0.00	
132-32	\$0.00		\$0.00	
117-32	\$0.00		\$0.00	
	\$18,610,528.00		\$3,757,846.60	
Total Value of structure				
High Risk	Medium Risk	Low Risk		
\$122,500.00	\$2,700.00	\$18,485,328.00		
Estimated Loss				
High Risk Areas	Medium Risk	Low Risk		
\$60,025.00	\$756.00	\$3,697,065.60		
Twenty Properties total				
High Risk	Medium Risk	Low Risk		
2	2	16		

Appendix I. Resolution

City of Berlin, NH
A Resolution Approving the
Berlin Wildfire Mitigation Plan

Date _____, 2007

WHEREAS, the City of Berlin received funding from the NH Bureau of Emergency Management to assist in the preparation of the Berlin Wildfire Mitigation Plan; and

WHEREAS, several public meetings and committee meetings were held between November 2006 and February 2007 regarding the development and review of the Berlin Wildfire Mitigation Plan; and

WHEREAS, the Berlin Wildfire Mitigation Plan contains several potential future projects to mitigate hazard damage in the City of Berlin; and

WHEREAS, a public meeting was held by the City Council on _____ to formally approve and adopt the Berlin Wildfire Mitigation Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the Berlin Wildfire Mitigation Plan.

APPROVED and SIGNED this _____

Chairman City Council

Emergency Management Director

Seal of Authority

Appendix J. Hierarchy of Wildfire Agencies and Organizations

Appendix J. Hierarchy of Wildfire Agencies and Organizations

Appendix K. Wildfire Terminology

Aspect—Direction toward which a slope faces.

At-Risk Community—A group of homes or other improvements within or adjacent to federal land in which conditions are conducive to a large-scale wildland fire and pose as significant threat to human life or property.

Cistern—A tank that stores water.

Community Wildfire Protection Program—a plan developed by a community at risk from wildfire directed by a planning process outlined by the US Forest Service.

Defensible Space—A designated area around a home that is intentionally maintained so as to be free of any features that would tend to increase the risk or damage from wildfire.

Dry hydrant—a non-pressurized pipe system permanently installed in existing lakes, ponds, and streams that provides means of suction supply of water to a tank truck. The dry hydrant system gives the trucks access to water sources from a main road.

Fire Break—A natural or constructed barrier used to stop or check fires that may occur, or to provide a control line from which to work.

Fuel—Combustible material includes, vegetation, such as grass, leaves, ground litter, plants, shrubs and trees, that feed a fire.

Fuel Loading—The amount of fuel present expressed quantitatively in terms of weight of fuel per unit area.

Mitigation—to make or become less severe; an effort at reducing or eliminating the impacts of injury or damage from a hazard or disaster.

Mutual Aid Agreement—Written agreement between agencies and/or jurisdictions in which they agree to assist one another upon request, by furnishing personnel and equipment.

Prescribed Fire (RX Burn) - Any fire ignited by management actions under certain, predetermined conditions to meet specific objectives related to hazardous fuels or habitat improvement. A written, approved prescribed fire plan must exist, and NEPA requirements must be met, prior to ignition on Federal land.

Red Flag Warning—Term used by fire weather forecasters to alert forecast users to an ongoing or eminent critical fire weather pattern.

Slash—the remnants of tree limbs, thinning, and ground fuel reduction.

Slope—The variation of terrain from the horizontal; the number of feet rise or fall per 100 feet measured horizontally, expressed as a percentage.

Suppression—All the work of extinguishing or containing a fire, beginning with its discovery.

Surface Fuels—Loose surface litter on the soil surface, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches that have not yet decayed enough to lose their identity.

Wildfire—an uncontrolled fire spreading through vegetative fuels, exposing and possibly consuming structures.

Wildland fire—A wildfire in an area in which development is essentially nonexistent, except for roads, railroads, powerlines and similar facilities.

Wildland/Urban Interface—The line, area or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.

Appendix L. Funding

This Funding Chart provides information about key grant programs that a number of sources that could be beneficial to implementation of the City of Berlin’s Fire Hazard Mitigation Plan. Funding sources from many federal, state and local sources may change periodically, be discontinued or new programs could be developed after the publication of this planning document. For the most up to date information the City should always consult the source itself before applying for funding. This Chart attempts to identify to best ability the most local contact information, however, this information can also change over time and as a part of updating this plan in the future this Chart should be revised.

PREPAREDNESS

TITLE	DEPARTMENT	CONTACT INFORMATION	PURPOSE	GRANT AMOUNT
Rural Fire Assistance	Department of the Interior	FWS Steve Hubner 757-986-3409 ext 104 steve_hubner@fws.gov NOS Paul Head 617-223-5067 paul_head@nps.gov	The RFA program provides funds for RFDs that: •Protect rural, wildland-urban interface communities; •Play a substantial cooperative role in the protection of federal lands; •Are cooperators with the Department of the Interior (DOI) managed lands through cooperative agreements with the DOI, or their respective state, tribe, or equivalent; •Are less than 10,000 in population.	Maximum Award \$20,000
Assistance to Firefighters Grant	Dept. of Homeland Security Office of Grants and Training	Www.firegrantsupport.com	Awarded one-year grants directly to fire dept. and non-affiliated emergency medical service org. in order to enhance their ability with respect to fire and fire-related hazards	varies
Fire Prevention and Safety	Dept. of Homeland Security	1-866-274-0960 Www.firegrantsupport.com	The purpose is to reduce losses due to fire related hazards through public education, arson prevention, code enforcement, wildfire prevention/awareness and education, data collection and analysis	Federal share limited to \$1M
Staffing For Adequate Fire and Emergency Response Grant	Dept. of Homeland Security	Www.firegrantsupport.com	To provide funding directly to fire departments and volunteer firefighter interest organizations to help increase the number of firefighters. To enhance the ability of fire departments attain staffing to have adequate protection.	
Fire Management Assistance Grant	FEMA	Region I Boston, MA 877-336-2734	Disaster assistance grant program available to States, local governments, and Indian tribes with mitigation, management, and control fires burning on publicly or private forests that threaten such destruction as would constitute a major disaster	

Appendix M. Map of Fire Towers in New Hampshire

Appendix N. Map of Mutual Aid within New

Addendum O. New Hampshire RSA 227 (L)

TITLE XIX-A FORESTRY CHAPTER 227-L WOODLAND FIRE CONTROL Section 227-L:1

227-L:1 Declaration of Purpose. – It is hereby recognized and declared that the public welfare of this state requires an efficient and effective statewide forest fire detection and protection program that will prevent control and reduce the incidence and severity of woodland fires through prevention, pre-suppression and suppression activities.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:2

227-L:2 Duties and Authority of Director. –

I. The director shall:

(a) Divide the state into forest fire districts to more effectively carry out a statewide forest fire control program.

(b) Maintain the present mountain lookout stations, establish and maintain additional stations connected by telephone lines or radio communication, and use aircraft and other available means for surveillance, detection, reporting, and control of forest fires and shall have the right to receive and hold, in the name of the state, gifts of land for observatory sites and rights of way for paths and telephone and electric lines.

II. The director may:

(a) Purchase firefighting equipment for resale to towns on such terms as the commissioner may approve.

(b) Cooperate with the forestry departments of the states of Maine, Massachusetts, and Vermont in the establishment and maintenance jointly of lookout stations serving New Hampshire and any of such other states.

(c) Establish, at advantageous points throughout the state, supply stations for tools and apparatus used in firefighting and provisions necessary to personnel employed, make proper maps for the use of forest rangers and wardens, build fire trails and fire lines, employ paid patrols at suitable points and at necessary times, and use other means as seem advisable to the commissioner within the limits of the appropriation.

III. The director, or the director's authorized agents shall:

(a) Be the primary enforcement agency for this chapter.

(b) Enforce the provisions of RSA 637 insofar as they pertain to the protection and improvement of woodlands.

IV. The director or the director's authorized agents may:

(a) For the purpose of performing the duties under this chapter, enter upon all lands in this state, posted or otherwise.

(b) Exercise the powers of arrest pursuant to RSA 227-G:7.

(c) Issue a written cease and desist order against any operation in violation of this chapter. Any such violation may be enjoined by the superior court, upon application of the attorney general. A person failing to comply with the cease and desist order shall be guilty of a violation.

V. The director, with the approval of the commissioner and after notice and hearing pursuant to RSA 541-A, may impose an administrative fine not to exceed \$2,000 for each offense upon any person who violates any provision of this chapter. Rehearings and appeals from a decision of the commissioner under this paragraph shall be in accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the imposition of further penalties under this chapter. The commissioner shall adopt rules, under RSA 541-A, relative to:

(a) A schedule of administrative fines which may be imposed under this paragraph for violation of this chapter.

(b) Procedures for notice and hearing prior to the imposition of an administrative fine.

VI. The proceeds of administrative fines levied pursuant to paragraph V shall be deposited by the commissioner into the forest protection personnel training fund established under RSA 227-G:5, III.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:3

227-L:3 Taking Land. – If sites or rights of way necessary for the maintenance and effective operation of lookout stations, fire trails, or lines cannot be acquired by gift or purchase, the department shall have the right to acquire the same under the power of eminent domain, and the value shall be determined as provided in RSA 227-H:3, II.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Forest Fire Personnel Section 227-L:4

227-L:4 Forest Fire Personnel. – The commissioner, upon the recommendation of the director, shall appoint such field and office personnel and such other assistants as the state woodland fire control program may warrant.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:5

227-L:5 Cooperation in Forest Fire Protection. –

I. The director, with the approval of the commissioner and the governor and council, may enter into an agreement with other states, Canadian provinces, or the federal government, or any combination of them, to exchange assistance in the control of forest fires and to train personnel. Any state employee assigned to fire control duties or training programs outside this state under such an agreement shall be deemed to be working within this state for the purposes of compensation and other employee benefits.

II. In this section, the term "employee" means any appointee, volunteer, or auxiliary member of a fire department, legally included within the firefighting forces of this state.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:6

227-L:6 Duties of Personnel. – It shall be the responsibility of such personnel appointed within the provisions of RSA 227-L:4 to carry out duties assigned by the director in enforcing state forest laws and rules; directing and aiding forest fire wardens, deputy forest fire wardens, and other forest fire personnel in the performance of their duties; and performing other duties as may be authorized by law and as directed by the director and the commissioner.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Forest Fire Wardens and Deputy Wardens

Section 227-L:7

227-L:7 Forest Fire Warden Appointment. –

I. The selectmen of towns and the mayors of cities shall, and other citizens may, recommend to the director the names of such persons as may in their estimation be fit to fill the offices of forest fire warden and deputy forest fire warden in their respective towns and cities.

II. After investigation the director shall appoint from the persons so recommended not more than one competent person in each town or city to be the forest fire warden for the town or city, and such deputy forest fire wardens as the director deems necessary. In such towns or cities where the fire chief is not the appointed town or city forest fire warden, the fire chief shall be appointed as deputy forest fire warden. The director may appoint a forest fire warden or deputy forest fire warden for 2 or more towns or parts of towns.

III. In unorganized places, upon the recommendation of the forest ranger, the director shall appoint a forest fire warden and one or more deputy forest fire wardens, to have the same powers and the same duties as the town forest fire wardens.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:8

227-L:8 Special Deputy Forest Fire Wardens. – The director may appoint as special deputy forest fire wardens persons in the employ of the department and, upon the recommendation of the forest ranger, such other persons as may be in a position to assist the director in preventing and suppressing fires. The appointees shall have the same powers and duties as the town forest fire wardens, but the powers and duties shall be exercised and performed only in emergencies or in the absence of a regularly appointed forest fire warden or deputy forest fire warden or when requested by the director or the director's agent. Appointees shall be allowed for their services such compensation as may be fixed by the commissioner and the director, and such compensation shall be deemed to be an expense of fighting woodland fires and paid by the state.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:9

227-L:9 Term. – Upon the appointment of a forest fire warden or deputy forest fire warden in any town, city or place, the term of office of the forest fire warden or deputy forest fire warden previously acting in such capacity shall immediately cease, and the new appointee shall serve for 3 years, or until a successor is appointed as provided in this subdivision. The term of a special deputy forest fire warden shall be 3 years.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:10

227-L:10 Removal; Vacancy. – The director shall have the discretionary power to remove any warden, deputy warden, or special deputy warden from office. Upon the termination in any manner of the term of office of any warden, deputy warden, or special deputy warden, a successor shall be appointed in the manner provided in this subdivision for the appointment of such officers.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:11

227-L:11 Duties of Forest Fire Wardens and Deputy Wardens. –

I. Wardens and deputy wardens, or some agent or agents designated by them, shall:

(a) When directed by the director, patrol the woods in their respective cities, towns or places, warning persons who traverse the woods, campers, hunters, fishermen, and others about lighting and extinguishing fires. They shall post extracts from the fire laws and other notices sent them by the director along the highways, streams, and waters frequented by tourists and others, at campsites and in other public places.

(b) Extinguish all woodland fires occurring in their town, or elsewhere when so directed by the director or the director's authorized agent. Either of them may call such assistance as the person deems necessary to aid in extinguishing the fires, may require the use of vehicles or other equipment and property for that purpose, and may order any road or highway closed to any motor vehicle if it becomes necessary in order to safeguard the proper extinguishing of such fire. Such authority shall not interfere with the authority of chiefs of city fire departments.

(c) Make reports to the forest ranger of the district in which they are located or to the director of the division, at such

time and in such form as the director may require.

II. Forest fire wardens and deputy wardens or any agent designated by them may, with the approval of the director, brush-out and make passable old roads and trails useful for the passage of personnel and equipment in case of woodland fires. Expenditures for this purpose shall be shared by the state and town, place or municipality in the same proportion as other prevention expense, except that the state's share under this section shall not exceed \$25 to any one town, place, or municipality in any year.

III. If any warden or deputy warden shall willfully neglect or refuse to perform the duties prescribed in this subdivision, the warden or deputy warden shall, upon complaint of the director, be guilty of a misdemeanor.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:12

227-L:12 Remuneration; Expenses. –

I. Wardens and deputy wardens in towns and unorganized places shall be allowed for their services such remuneration as may be fixed by the commissioner and the director. Any regularly paid warden, deputy warden, lookout watcher, or fire patroller may be directed and used by the forest ranger or the director on any state or municipal forestry work or other public work, when in the judgment of the director the safety of woodlands is not endangered by such use.

II. The town forest fire wardens and deputy wardens attending training sessions called by the director under RSA 227-G:3, II(e) shall be paid for their time and expenses in attending such training sessions, within the limits of available funds, such payment to be borne equally by the municipalities represented and the state in the same manner as provided in RSA 227-L:22.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Public Duties Section 227-L:13

227-L:13 Public Duties; Penalties. –

I. It shall be the duty of any person who discovers a woodland fire not under control or supervision of some person to extinguish it or report it immediately to the warden or deputy warden or other public official. Whoever fails so to do shall be guilty of a violation.

II. Any person who fails to respond to the warden's call for assistance or the use of the person's property, or any person who drives a motor vehicle over a road or highway that has been closed under RSA 227-L:11, I(b), after having been instructed not to do so, shall be guilty of a violation.

III. Notwithstanding the provisions of paragraph II and RSA 227-L:11, I(b) no person authorized to compel assistance by conscription under such authority shall order any person under the age of 18 years or over the age of 45 years (except when such person has voluntarily consented to accept direction and if under the age of 18, has furnished parental consent in writing); or any person having a physical or mental disability or who is otherwise disabled in capability to perform acts of firefighting, to perform any act of firefighting which would subject such person to the possible risk of grievous bodily injury, harm or death, except in a dire emergency, and then only if such act or acts are deemed necessary to protect and preserve public property endangered by fire, or in the case of a national emergency. Notwithstanding this limitation, nothing in this section shall be construed to limit a person's ability, if over 18 years of age, to voluntarily consent to perform acts of firefighting so long as the person agrees to accept direction of qualified firefighters and the person accepting consent is authorized by paragraph II and RSA 227-L:11, I(b) to call for such assistance and reasonably believes that the person volunteering understands the personal risk.

IV. Owners of property required by the warden or deputy warden in the extinguishment of a woodland fire shall receive reasonable compensation for their services. In case the warden or deputy warden, and the persons summoned to assist or furnish the use of property, shall fail to agree upon the terms of compensation, the dispute shall be referred to the forest ranger, the director, or the commissioner for settlement, and the decision of the commissioner shall be final.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:14

227-L:14 Interference With Forest Fire Control Personnel; Penalty. – It is unlawful to resist or attempt to resist arrest by any forest fire control personnel authorized to make arrests pursuant to RSA 227-G:7, or to obstruct or attempt to obstruct, or to intimidate or interfere with any such persons in the performance of their duties. Whoever violates the provisions of this section shall be guilty of a violation if a natural person and guilty of a misdemeanor if any other person.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Permits, Prohibitions, and Penalties

Section 227-L:15

227-L:15 Prohibiting Smoking or Kindling of Fires; Penalty. – The governor, upon the recommendation of the director, when there is danger of starting fires in the woodlands of the state due to a period of protracted drought or excessive dryness which requires extraordinary precautions, may, with verbal approval of the council, by official proclamation, prohibit smoking in or near woodlands and prohibit the kindling of any open fire in or near woodlands in any or all parts of the state for such time as they may designate. Whoever is found guilty of violating the provisions of any proclamation issued pursuant to this section shall be guilty of a violation.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:16

227-L:16 Trespass Upon or Smoking in White Mountain National Forest; Penalty. – It shall be unlawful for any person to enter upon, or to smoke upon, lands of the United States known as the White Mountain National Forest, as now or

hereafter constituted, at any time when such entry or smoking shall be forbidden by valid order made for the purpose of protecting such forest from forest fire, pursuant to the laws of the United States. Any person violating the provisions of this section shall be guilty of a violation.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:17

227-L:17 Permits; Damages; Penalties. –

I. It shall be unlawful for any person to kindle or cause to be kindled a fire upon the land of another without first obtaining permission from the landowner or the landowner's agent, or upon public land without the written permission from the official caretaker, excepting that upon a public recreational area where fireplaces and a supervisor are provided, presence of an official supervisor or caretaker upon such land shall constitute permission.

II. No person, firm, or corporation shall kindle or cause to be kindled any fire or shall burn or cause to be burned any material, and no city or town shall kindle or maintain a fire on a public dump, except when the ground is covered with snow, without first obtaining a written permit from the forest fire warden of the town where the burning is to be done unless it is in the presence of the warden or the warden's agent.

III. Permits for the burning of blueberry stands to increase their productivity and for the burning of waste materials of mills processing forest products may be granted by the forest ranger, provided such burnings are done under the surveillance of the landowner or the landowner's agent.

IV. Camp or cooking fires may be kindled only with written permission of the landowner or the landowner's agent and written permission of the forest fire warden of the town in which the fire is to be kindled and only at suitable times and in suitable places when the fire will not endanger woodlands; except in such towns as have adopted bylaws or regulations equally as stringent as provided in this paragraph. Camp or cooking fires may be built without written permission on public camp or picnic grounds when such areas are open for public use or private camp and picnic places where suitable fireplaces approved by the forest fire warden are provided for such fires. As used in this paragraph, a camp or cooking fire shall be a small fire suitable for cooking purposes used in connection with camp, picnic or lunch purposes and does not include the burning of household rubbish, or large amounts of brush or other flammable material. Whoever shall kindle or cause to be kindled any such fire or use an abandoned fire in or near woodlands shall totally extinguish the same before leaving it and, upon failure to do so, such person or persons shall be subject to the same liabilities and penalties as prescribed in this section.

V. Any person causing or kindling a fire without permit of the forest fire warden, when such permit is required, and any person by whose negligence, or by the negligence of the person's agents, any fire shall be caused, shall be liable in a civil action for the payment to the town, or the state or the United States, or any or all of the same, of the expenses incurred by the forest fire warden or deputy warden in attending or extinguishing such fire. The items of expenses of the fire shall be approved in writing by the director.

VI. Every person who sets fire on any land, that runs upon the land of any other person, shall pay to the owner all damages done by such fire.

VII. Any person violating any provision of this section shall be guilty of a misdemeanor, and any person who causes or kindles a fire by any means, willfully or recklessly, which shall endanger a woodland shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

Source. 1995, 299:1, eff. Jan. 1, 1996. 2000, 66:1, eff. Jan. 1, 2001.

Section 227-L:18

227-L:18 Flammable Material; Penalty. –

I. No person, firm, or corporation shall place, drop, or throw any flammable waste material on, near, or adjacent to, a public highway or private way in any place where a fire starting or burning in such waste material is liable to be or may be communicated to woodlands. Whoever is found guilty of violating the provisions of this section shall be guilty of a violation.

II. The department, by notice in writing to both the operator and the owner, may require the removal or disposal of lumber, slash, or other flammable material wherever located when in the judgment of the department such lumber, slash, or flammable material constitutes an unusual hazard endangering other property through the setting or spreading of woodland fires.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:19

227-L:19 Dropping Lighted Matches, etc; Penalty. – No person shall drop or throw from any vehicle while the vehicle is upon a public highway or private way, or from any steam, gas, or electric car where the right-of-way is adjacent to woodlands, or drop, throw, or otherwise deposit on or near such woodlands except as permitted by law, any lighted match, cigar, cigarette, live ashes, or any other substance liable to cause a fire. Whoever is found guilty of violating the provisions of this section shall be guilty of a violation.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:20

227-L:20 Suitable Exhaust Systems on Motorized Equipment; Penalty. –

I. Any motorized vehicle, which does not bear a currently valid state inspection sticker, and other motorized equipment including generators operating in woodlands and which emits exhaust within 4 feet of the ground, shall be equipped with a suitable exhaust system which will inhibit the discharge of sparks and carbon deposits likely to cause fires. Baffled mufflers or spark arresters in good working order, tested and approved by the U.S. Forest Service or the director shall be deemed to meet these requirements. In the case of trucks, pickups, passenger cars, and motor bikes, primarily used for travel over gravel and other mineral soil roads, exhaust systems equivalent to original equipment are suitable. Any car, truck, or other vehicle that has been modified shall be required to have exhaust systems which are tight, have not been shortened excessively, and are

directed away from the forest floor, or be equipped with a baffled muffler in good working condition.

II. Any such vehicle or equipment operating in woodlands, which, in the judgment of the director or the director's agent, presents an imminent danger of igniting a woodland fire, may be impounded by the director or the director's agent until equipped with a suitable exhaust system.

III. Any owner or operator who violates the provisions of this section shall be guilty of a violation.

IV. Any person who sells any new equipment or new vehicle covered by the provisions of this section that is not properly equipped shall be guilty of a violation.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Fire Control Payments Section 227-L:21

227-L:21 Fire Control Payments on Federal Lands. –

I. The expenses lawfully incurred by a forest fire warden or other authorized local fire official in the extinguishment of woodland fires on the White Mountain National Forest or other federal land within the state under a cooperative forest fire protection agreement with the state computed at rates within limits established by the director and excluding the initial costs of firefighting equipment shall be paid in the first instance by the state.

II. The forest fire warden or other authorized local fire official shall render to the director a statement of expenses incurred in extinguishing woodland fires on the federal lands described in paragraph I, showing in detail the amount and character of the services performed including names, addresses, hours worked, dates, and recommended compensation for persons authorized for fire duty by the fire warden or other authorized local fire official, costs of food and other supplies, operating and repair expenses of motorized equipment, reimbursement costs for lost and damaged pumps, hose, tools, and other fire equipment and such other costs as may be actually incurred on such fire.

III. The director shall review such bills and, upon approval, shall forward them for payment to the state treasurer. The governor shall draw a warrant on the state treasury from money in the treasury not otherwise appropriated for the payment of such bills. Upon such payment, the director shall prepare and submit to the receiving federal agency appropriate vouchers for reimbursement to the state treasury of such costs paid by the state treasurer under this section.

IV. The director shall also prepare and submit to the receiving federal agency appropriate vouchers for reimbursement of salary and expenses of permanent and temporary employees who remain on the state payroll while on authorized duty on federal lands within the state under a cooperative forest fire protection agreement with the state, the actual cost of food and other supplies, operating and repair costs of motorized equipment, reimbursement for lost or damaged pumps, hose, tools, and other fire equipment and such other costs as actually may be incurred by the state on such cooperative fire assignment.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:22

227-L:22 Municipal Fire Control Payments; Apportionment of Expenses. –

I. The expenses of pre-suppression and suppression of woodland fires in municipalities, and other expenses lawfully incurred by wardens and deputy wardens of municipalities in preventing woodland fires, shall be borne equally by the municipality and the state, except as otherwise provided in this chapter, and except that when in any one municipal fiscal year the net total of sums required for the pre-suppression, suppression, and prevention of woodland fires, excluding the initial cost of firefighting equipment, to be so borne by such municipality, computed at rates within limits established by the commissioner and the director, shall equal 1/4 of one percent of the latest equalized locally assessed valuation on such municipality, expenses incurred in excess of such sum shall be borne entirely by the state on the basis of the rate limits specified in this paragraph. The provisions of this section shall not apply to expenses incurred in fighting any woodland fire when, as determined by the commissioner, such fire was caused either by the negligence of the town or of its agents; or in cases in which there is negligence on the part of the town or its agents in collecting expenses from violators under RSA 227-L:17, V. Any determination of the commissioner under the provisions of the preceding sentence shall be subject to rehearing and appeal as provided in RSA 541.

II. The warden shall render to the selectmen or the mayor or the authorized city department, on blanks prepared by the director, a statement of the expenses under paragraph I, incurred by the municipality, or aiding municipality which had responded upon request, as soon as possible after they are incurred, showing in detail the amount and character of the services performed, including the costs of services rendered by volunteers, the exact duration of the service, and all disbursements made by the warden or wardens, and bearing the approval of the warden, and of the deputy warden if the expenses were incurred by the warden's authority.

III. Upon receipt of the statement, the selectmen of towns and mayors of cities, if the bill is approved, shall draw an order upon the treasurer for payment to each person employed of the amount of compensation due or to the warden for the total amount of the bill as approved, as the selectmen or mayor may determine. If payment is made to the warden, the warden shall forthwith pay to each person employed the amount of compensation due. The account of the warden shall be audited and included in the town report.

IV. Bills incurred in rendering aid to another town after having been paid in the first instance as prescribed in paragraph III shall, within 30 days of the date the aid was rendered, be presented for reimbursement to the town receiving the aid.

V. A duplicate bill, showing that the bill has been audited and paid by the municipality, shall be filed by the selectmen or the mayor with the director within 60 days of the date in which the expenses were incurred. If the director finds the expenses to be reasonable, the director shall forward the bill to the state treasurer as approved, and the governor shall draw a warrant on the state treasury in favor of the municipality for the portion of the bill for which the state is liable in accordance with the provisions of this section from any money in the treasury not otherwise appropriated. The state, however, shall not reimburse

municipalities or unorganized places at a rate in excess of that established from time to time by the commissioner and the director, nor shall the state be responsible for reimbursement to municipalities for such bills upon failure to render the bills within 60 days of the date expenses were incurred.

VI. If any such bill is not paid by a municipality within 30 days from the date rendered by the warden, the director may investigate the cause and may issue an order for payment. Upon receipt of the order, the bill shall be paid forthwith by the municipality.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:23

227-L:23 State Fire Control Payments. –

I. When, in the opinion of the director, the expenses of fighting woodland fires in municipalities, and other expenses lawfully incurred by wardens and deputy wardens of municipalities in preventing forest fires, shall exceed an amount equal to 1/4 of one percent of the latest equalized locally assessed valuation on such municipality, the state may pay such bills in the first instance.

II. The town forest fire warden shall submit all bills for payment to the director, certifying on the bills that the bills were lawfully incurred and a proper charge.

III. Upon receipt by the director of the bills, the director shall approve the bills and forward them for payment to the state treasurer. The governor shall draw a warrant on the state treasury from money in the treasury not otherwise appropriated for the payment of the bills.

IV. The director shall thereafter bill the responsible municipality for its proportionate share of fire expenses together with any amounts found by the director to be in excess of the rates established by the commissioner and the director as provided in RSA 227-L:22, I. Upon receipt of the bill the municipality shall reimburse the state for the amount specified.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:24

227-L:24 Unorganized Places Fire Control Payments. –

I. The wardens and the deputy wardens in unorganized places shall render to the director a like statement of such expenses as they have lawfully incurred under this chapter in suppressing or preventing fires in woodlands within one month of the date upon which such expenses are incurred.

II. The statement shall be audited by the director, and, if approved, the director shall draw an order upon the state treasurer for the same.

III. The expenses lawfully incurred by a warden or deputy warden in pre-suppression, prevention, and suppression of woodland fires in unorganized places, computed at rates within limits established by the department and excluding the initial cost of firefighting equipment, shall be paid in the first instance by the state. Any person causing or kindling a fire in an unorganized place without a permit from the forest fire warden and written permission of the woodland owner, if no previous arrangement exists between the forest fire warden and the woodland owner when such permit is required under RSA 227-L:17, I-III, and any person, by whose negligence or by the negligence of the person's agents any fires shall be caused, shall be liable to the state in a civil action for the payment of all expenses incurred in extinguishing the fire. If a fire results from unknown or natural causes, up to 1/2 of the costs, but in no case to exceed 10 percent of the assessed valuation of the property in the place, shall thereafter be added to the tax assessed the following year against the place in the same manner as is provided for the assessment of property taxes.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Northeastern Interstate Forest Fire Protection Compact

Section 227-L:25

227-L:25 Authorization. – The governor on behalf of this state is hereby authorized to enter into a compact, substantially in the following form, with any one or more of the states of Connecticut, Maine, New York, Rhode Island, and Vermont, and the Commonwealth of Massachusetts, and with such other states of the United States or provinces of the Dominion of Canada as may legally join therein, and the legislature hereby signifies in advance its approval and ratification of such compact so entered into, such approval and ratification to be effective upon the filing of a copy of such compact in the office of the secretary of state.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:26

227-L:26 Northeastern Interstate Forest Fire Protection Compact. –

ARTICLE I.

The purpose of this compact is to promote effective prevention and control of forest fires in the northeastern region of the United States and adjacent areas in Canada by the development of integrated forest fire plans, by the maintenance of adequate forest fire fighting services by the member states, by providing for mutual aid in fighting forest fires among the states of the region and for procedures that will facilitate such aid, and by the establishment of a central agency to coordinate the services of member states and perform such common services as member states may deem desirable.

ARTICLE II.

This agreement shall become operative immediately as to those states ratifying it whenever any 2 or more of the states of Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, and the Commonwealth of Massachusetts have ratified it and the Congress has given its consent. Any state not mentioned in this article which is contiguous with any mem-

ber state may become a party to this compact. Subject to the consent of the Congress of the United States, any province of the Dominion of Canada which is contiguous with any member state may become a party to this compact by taking such action as its laws and the laws of the Dominion of Canada may prescribe for ratification. In this event, the term "state" in this compact shall include within its meaning the term "province" and the procedures prescribed shall be applied in the instance of such provinces, in accordance with the forms and practices of the Canadian government.

ARTICLE III.

Each state joining herein shall appoint 3 representatives to a commission hereby designated as the Northeastern Forest Fire Protection Commission. One shall be the state forester or officer holding an equivalent position in such state who is responsible for forest fire control. The second shall be a member of the legislature of such state designated by the commission or committee on interstate cooperation of such state, or if there be none, or if said commission on interstate cooperation cannot constitutionally designate the said member, such legislator shall be designated by the governor thereof; provided that if it is constitutionally impossible to appoint a legislator as a commissioner from such state, the second member shall be appointed by the governor of said state in the governor's discretion. The third member shall be a person designated by the governor as the responsible representative of the governor. In the event that any province of the Dominion of Canada shall become a member of this commission, it shall designate 3 members who will approximate this pattern of representation to the extent possible under the law and practices of such province. This commission shall be a body corporate with the powers and duties set forth herein.

ARTICLE IV.

It shall be the duty of the commission to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about the prevention and control of forest fires in the area comprising the member states, to coordinate the forest fire plans and the work of the appropriate agencies of the member states and to facilitate the rendering of aid by the member states to each other in fighting forest fires. The commission shall formulate and, in accordance with need, from time to time, revise a regional forest fire plan for the entire region covered by the compact which shall serve as a common forest fire plan for that area. The commission shall, more than one month prior to any regular meeting of the legislature in any signatory state, present to the governor and to the legislature of the state its recommendations relating to enactments to be made by the legislature of that state in furthering the interests and purposes of this compact. The commission shall consult with and advise the appropriate administrative agencies of the states party hereto with regard to problems connected with the prevention and control of forest fires and recommend the adoption of such regulations as it deems advisable. The commission shall have power to recommend to the signatory states any and all measures that will effectuate the prevention and control of forest fires.

ARTICLE V.

Any 2 or more member states may designate the Northeastern Forest Fire Protection Commission as a joint agency to maintain such common services as those states deem desirable for the prevention and control of forest fires. Except in those cases where all member states join in such designation for common services, the representatives of any group of such designating states in the Northeastern Forest Fire Protection Commission shall constitute a separate section of such commission for the performance of the common service or services so designated, provided that, if any additional expense is involved, the states so acting shall appropriate the necessary funds for this purpose. The creation of such a section as a joint agency shall not affect the privileges, powers, responsibilities, or duties of the states participating therein as embodied in the other articles of this compact.

ARTICLE VI.

The commission may request the United States Forest Service to act as the primary research and coordinating agency of the Northeastern Forest Fire Protection Commission, in cooperation with the appropriate agencies in each state and the United States Forest Service may accept the initial responsibility in preparing and presenting to the commission its recommendations with respect to the regional fire plan. Representatives of the United States Forest Service may attend meetings of the commission and of groups of member states.

ARTICLE VII.

The commission shall annually elect from its members a chairperson and a vice-chairperson. The commission shall appoint such officers or employees as may be required to carry the provisions of this compact into effect, shall fix and determine their duties, qualifications and compensation, and may at its pleasure, remove or discharge any such officer or employee. The commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year. A majority of the members of the commission representing a majority of the signatory states shall constitute a quorum for the transaction of its general business, but no action of the commission imposing any obligation on any signatory state shall be binding unless a majority of the members from such signatory state shall have voted in favor thereof. For the purpose of conducting its general business, voting shall be by state units. The representatives of any 2 or more member states, upon notice to the chairperson as to the time and purpose of the meeting, may meet as a section for the discussion of problems common to those states. Sections established by groups of member states shall have the same powers with respect to officers, employees and the maintenance of offices as are granted by this article to the commission. Sections may adopt such rules, regulations and procedures as may be necessary for the conduct of their business.

ARTICLE VIII.

It shall be the duty of each member state to formulate and put in effect a forest fire plan for that state and to take such measures as may be recommended by the commission to integrate such forest fire plan with the regional forest fire plan. Whenever the state forest fire control agency of a member state requests aid from the state forest fire control agency of any other member state in combating, controlling, or preventing forest fires, it shall be the duty of the state forest fire control agency of that state to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home. Each signatory state agrees to render aid to the forest service or other agencies of the government of the United States in combating, controlling, or preventing forest fires in areas under their jurisdiction located within the member state or a contiguous member state.

ARTICLE IX.

Whenever the forces of any member state are rendering outside aid pursuant to the request of another member state under this compact, the employees of such state shall, under the direction of the officers of the state to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges, and immunities as comparable employees of the state to which they are rendering aid. No member state or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith. All liability that may arise either under the laws of the requesting state or under the laws of the aiding state or under the laws of a third state on account of or in connection with a request for aid, shall be assumed and borne by the requesting state. Any member state rendering outside aid pursuant to this compact shall be reimbursed by the member state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries, and maintenance of employees and equipment incurred in connection with such request. Provided, that nothing herein contained shall prevent any assisting member state from assuming such loss, damage, expense or other cost or from loaning such equipment or from donating such services to the receiving member state without charge or cost. Each member state shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such state. For the purposes of this compact the term employee shall include any volunteer or auxiliary legally included within the forest firefighting forces of the aiding state under the laws thereof. The commission shall formulate procedures for claims and reimbursement under the provisions of this article. Aid by a member state to an area subject to federal jurisdiction beyond the borders of such state shall not be required under this compact unless substantially the same provisions of this article relative to powers, liabilities, losses, and expenses in connection with such aid are embodied in federal laws.

ARTICLE X.

When appropriations for the support of this commission or for the support of common services maintained by the commission or a section thereof under the provisions of article V are necessary, the commission or section thereof shall allocate the costs among the states affected with consideration of the amounts of forested land in those states that will receive protection from the service to be rendered and the extent of the forest fire problem involved in each state, and shall submit its recommendations accordingly to the legislatures of the affected states. The commission shall submit to the governor of each state, at such time as the governor may request, a budget of its estimated expenditures for such period as may be required by the laws of such state for presentation to the legislature thereof. The commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time to the inspection of such representatives of the respective signatory states as may be duly constituted for that purpose. On or before the first day of December of each year, the commission shall submit to the respective governors of the signatory states a full and complete report of its activities for the preceding year.

ARTICLE XI.

The representatives from any member state may appoint and consult with an advisory committee composed of persons interested in forest fire protection. The commission may appoint and consult with an advisory committee of representatives of all affected groups, private and governmental.

ARTICLE XII.

The commission may accept any and all donations, gifts and grants of money, equipment, supplies, materials, and services from the federal or any local government, or any agency thereof and from any person, firm or corporation, for any of its purposes and functions under this compact, and may receive and utilize the same subject to the terms, conditions and regulations governing such donations, gifts, and grants.

ARTICLE XIII.

Nothing in this compact shall be construed to authorize or permit any member state to curtail or diminish its forest firefighting forces, equipment, services or facilities, and it shall be the duty and responsibility of each member state to maintain adequate forest firefighting forces and equipment to meet normal demands for forest fire protection within its borders. Nothing in this compact shall be construed to limit or restrict the powers of any state ratifying the same to provide for the preven-

tion, control, and extinguishment of forest fires, or to prohibit the enactment or enforcement of state laws, rules or regulations intended to aid in such prevention, control, and extinguishment in such state. Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member state or states.

ARTICLE XIV.

This compact shall continue in force and remain binding on each state ratifying it until the legislature or the governor of such state takes action to withdraw therefrom. Such action shall not be effective until 6 months after notice thereof has been sent by the chief executive of the state desiring to withdraw to the chief executives of all states then parties to the compact.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:27

227-L:27 When Effective. – When the governor shall have executed said compact on behalf of this state and caused a certified copy thereof to be filed in the office of the secretary of state, as required by RSA 227-L, and said compact shall have been ratified by one or more of the states named in article II thereof in accordance with the constitution of such state or states of the United States or provinces of the Dominion of Canada, in accordance with the laws of Canada, then said compact shall become operative and effective as between this state and such other state or states of the United States or provinces of the Dominion of Canada. The governor is hereby authorized and directed, upon the execution of said compact by the governor and filing of the required copy thereof in the office of the secretary of state, to notify forthwith the governors of the said named states and the President of the United States, that the state on its part has ratified said compact; or in the instance of a province of the Dominion of Canada the proper officials of that province and that dominion through the United States Secretary of State. The original notice of ratification received from the governor or other duly authorized official of any state or province joining in said compact shall be filed with the official copy of said compact in the office of the secretary of state, and such notice, if any, as may be received from the President or the Congress of the United States, signifying the consent of the Congress to said compact, shall be filed in the same manner.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:28

227-L:28 Commission. – After the aforesaid compact shall become operative and effective as provided for in RSA 227-L:27, the governor shall appoint 3 members hereinafter called commissioners of the Northeastern Forest Fire Protection Commission. One of such commissioners shall always be the director of the division of forests and lands, department of resources and economic development. The second shall be a member of the legislature, and the third shall be a citizen of the state designated by the governor as a responsible representative to serve at the pleasure of the governor.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:29

227-L:29 Compensation. – The commissioners shall serve without compensation but shall be reimbursed for their actual expenses incurred in the performance of their duties.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:30

227-L:30 Report. – The commissioners on the part of the state shall keep accurate accounts of all receipts and disbursements and shall report to the governor on or before the seventh day of January annually, setting forth in detail the transactions of the commission during the preceding calendar year, and shall include in said report recommendations for any legislative action that the commission deems advisable, including such amendments or additions to the laws of the state as may be necessary or desirable to carry out the intent and purposes of the Northeastern Interstate Forest Fire Protection Compact.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:31

227-L:31 Powers. – There is hereby granted to the commission and the commissioners thereof all the powers provided for in the said compact and all the powers necessary or incidental to the carrying out of said compact in every particular. All officers of the state of New Hampshire are hereby authorized and directed to do all things falling within their respective provinces and jurisdiction necessary or incidental to the carrying out of said compact in every particular; it being hereby declared to be the policy of the state of New Hampshire to perform and carry out the said compact and to accomplish the purposes thereof and to execute a compact on behalf of the state of New Hampshire with any one or more of the states of Maine, Vermont, Connecticut, Rhode Island, and New York and the Commonwealth of Massachusetts and with such other states of the United States or provinces of the Dominion of Canada as may legally join therein. All officers, bureaus, departments, and persons of and in the state government or administration of the state of New Hampshire are hereby authorized and directed at convenient times and upon request of the said commission to furnish the said commission with information and data possessed by them or any of them and to aid said commission by any means lying within their legal rights respectively.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:32

227-L:32 Payment by State. – Upon recommendation of the director of the division of forests and lands, department of resources and economic development, and upon warrant of the governor with the approval of the council, the state treasurer shall pay out of any money in the treasury not otherwise appropriated to any state giving aid within the state under this chapter, such sums as shall be due under the terms of this chapter.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:33

227-L:33 Reimbursement by Towns. – Each town receiving aid under the provisions of this chapter shall reimburse the state for payments made by the state under RSA 227-L:32 in the same proportion and to the same extent that such town would be required under RSA 227-L:22 to bear such expense if it had been incurred within the state.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:34

227-L:34 Reimbursement Procedure. – When the state has made any payment under RSA 227-L:32, the director of the forests and lands shall, in writing, notify all towns involved, of the amount of their liability as provided in RSA 227-L:33, and within 60 days of the receipt of such notice, the respective towns shall remit the amount due to the state treasurer.

Source. 1995, 299:1, eff. Jan. 1, 1996.

Section 227-L:35

227-L:35 Distribution to Towns. – When the state receives payment from another state for aid given by towns under the provisions of this chapter, the director of the division of forests and lands shall advise the state treasurer the amount due each town involved, and the state treasurer shall distribute the amounts due, to the respective towns. The governor is hereby authorized to draw a warrant for the respective amounts due.

Source. 1995, 299:1, eff. Jan. 1, 1996.



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