



# CALIFORNIA TRIBAL FIRE CHIEFS ASSOCIATION

*Proudly Serving and Protecting California Tribal Communities*

**Executive  
Board of Directors**

**Michael J. Smith**  
President

**Jason Keeling**  
Vice President

**Tracy Hawk**  
Secretary

**Rebecca Ramirez**  
Treasurer

**Ken Kremensky**  
Member At Large



July 1, 2020

Amy L. Dutschke, BIA Pacific Regional Director  
Bob Baird, Director, USFS Pacific Southwest Region  
Brian Marshall, Fire Chief CalOES

To our State & Federal partners in California Fire Service Leadership,

This communication concerns the most recent 2020 California Fire Assistance Agreement (“CFAA”), which was developed without the input or consultation of California tribal fire departments. As you are aware, the CFAA outlines the scope and terms for our fire response. To everyone’s detriment, tribal fire departments were not made aware of the mandated changes contained in the CFAA until the final agreement was published.

As long-time active partners within the California Fire and Rescue Mutual Aid System, the tribal fire departments are disappointed and concerned the CFAA prohibits California Tribal Governments from recouping costs incurred while responding to federal fires. This is a dangerous new standard that severely limits each tribe’s ability, and the ability of our local government partners, to respond when Californians need us most.

The 2020-2021 California State budget passed by the Legislature and signed into effect by Governor Newsom, allocated billions in funding for fire protection, reflecting the urgency of the wildfire crisis and the State’s continued commitment to solutions. This new CFAA flies in the face of that commitment.

Unquestionably, this CFAA will have reduce the number of crews able to respond to fires throughout the state. Many smaller local government fire departments rely heavily upon their tribal fire department partners to respond as part of a Strike Team, Task, Force, or similar firefighting team and will realize significant loss due to this CFAA. The impacts to local areas will be adverse and substantial, resulting in fewer crews available for deployment and may leave many smaller local fire departments unable to respond to large incidents outside their region. This CFAA appears to contradict the Governors strategy of an “all-of-the-above and all-hands-on-deck approach to preventing and fighting wildfires.” It could not come at a worse time as face increasing dangers from raging and expansive wildfire during climate change.

Indeed, this disparate treatment of California’s tribal fire departments places the entire state in an untenable position of unnecessary fire risk. Currently 70 tribal fire departments provide continuing and reliable service in and beyond their sovereign territories, comprising an integral component of local, regional, and state-wide response capabilities. The CFAA weaken those lines of assistance. As the 2020 fire season begins, and with local, state, and federal resources increasingly strained during the pandemic, tribal support and response within the California

Master Mutual Aid system time is increasingly important to the overall readiness and capacity of the state and federal response capabilities.

The California Tribal Fire Chiefs Association is further dismayed that despite its continual partnership and active participation within the California Fire Service Leadership, tribal fire departments were not included or consulted as this CFAA was being developed. The Tribal Fire Chiefs are seeking support and relief in this matter as the current CFAA, as written, unduly burdens tribal fire departments while at the same time depriving them of representation and inclusion as afforded all other governmental agencies within the CFAA.

Tribal fire departments seek parity, fairness, and appropriate processes currently enjoyed by all other local agency governments to ensure our own tribal governments recover actual expenses incurred while providing aid to our allied agencies including the federal government.

To ensure parity and fairness is achieved, the California Tribal Fire Chief Association proposes that the CFAA language (specifically A-41) be amended to include:

- Inclusion of a representative from the Tribal Fire Chiefs to both CalOES and FIRESCOPE during future agreement updates and negotiations.
- Reimbursement for response on federal fires, which reflect actual expenses incurred including, portal-to-portal staffing reimbursement, and reimbursement processes which are equitable and alignment with local agencies within the CFAA.

This a pressing matter which deserves attention and resolution before the 2020 fire season negatively impacts our state's ability to effectively and safely respond wildland fires.

We ask you for your support and assistance to the Tribal Fire Chiefs in their efforts to rectify this oversight in the CFAA and allow tribal fire departments to receive reimbursement in parity with our local government partners. We look forward to further collaboration and partnership as we work towards an equitable resolution.

Sincerely,



Michael J. Smith, MS, CFOD  
President

Copies to:

Mark Ghilarducci, Director CalOES  
Denise Shemenski, Tribal Liaison, CalOES  
Ed Rodrigues, President, CalChiefs Association  
Nathan Gogna, Bureau of Indian Affairs, Pacific Regional Office  
Daryl Osby, FIRESCOPE, Chair of the Board of Directors  
Christina Snider, Governor's Tribal Advisor  
Karen Mouritsen, BLM, California State Director