

Alberta Guidelines for Municipal Wildfire Assistance Program

PRODUCED BY

Alberta Emergency Management Agency
28th Floor, Canadian Western Bank Place
10303 Jasper Avenue, Edmonton, Alberta, Canada, T5J 3N6
Phone: 780-422-9000 or toll free at 310-0000, then 780-422-9000
[Website: www.aema.alberta.ca](http://www.aema.alberta.ca)

Sustainable Resource Development
11th Floor, South Petroleum Plaza
9915 - 108 Street, Edmonton, Alberta, Canada, T5K 2G8
Phone: 1-877-944-0313
[Website: www.srd.alberta.ca](http://www.srd.alberta.ca)

These Guidelines are available on CD-ROM and electronic format by contacting the Alberta Emergency Management Agency at 780-422-9000.

ISBN XXXXXXXXX

Copyright © 2011, the Crown in the Right of Alberta, as represented by the Minister of Municipal Affairs, Ministry of Municipal Affairs, Alberta Emergency Management Agency, 28th Floor, Canadian Western Bank Place, 10303 Jasper Avenue, Edmonton, Alberta, Canada, T5J 3N6.

All Rights reserved. Permission is hereby given by the copyright owner for any person to reproduce this document or any part thereof, for educational purposes and on a non-profit basis.

ALBERTA MUNICIPAL WILDFIRE ASSISTANCE PROGRAM GUIDELINES

In the event of a wildfire, the Government of Alberta may provide financial assistance to municipalities through the Municipal Wildfire Assistance Program administered by the Alberta Emergency Management Agency and Alberta Sustainable Resource Development.

The Alberta Municipal Wildfire Assistance Program Guidelines have been developed by the Alberta Emergency Management Agency in collaboration with Alberta Sustainable Resource Development. The Guidelines support the administration of the province's Municipal Wildfire Assistance Program, which has been designed to provide financial assistance for the incremental costs incurred by the suppression of wildfires outside Alberta's Forest Protection Area.

These Alberta Municipal Wildfire Assistance Program Guidelines come into effect upon the signing of Ministerial Order No. A:001/12.

Table of Contents

Part 1 - General Principles..... 1

1.1 Introduction 1

1.2 Principles 1

1.3 Purpose 1

1.4 Definition of a Wildfire 1

1.5 Authority and Funding 2

Part 2 - Municipal Wildfire Assistance Program Approval Process..... 3

2.1 Information Gathering 3

2.2 Analysis 3

2.3 Approval 3

2.4 Notification..... 4

2.5 Administration 4

2.6 Evaluation..... 4

2.7 Advance Payment..... 4

2.8 Closure..... 5

2.9 Final Payment 5

2.10 Reconsideration 5

Part 3 - General Eligibility Criteria 6

3.1 Basic Considerations 6

3.2 Insurance 7

3.3 Limitations to Assistance 7

Part 4 - Expenditure Eligibility..... 8

4.1 Response..... 8

4.2 Recovery..... 9

4.3 Repair and Restoration Costs 9

4.4 Road Restoration 10

4.5 Municipal Equipment 10

4.6 Municipal Personnel..... 11

4.7 Administration Costs 12

Part 1 - General Principles

1.1 Introduction

The Alberta Emergency Management Agency (AEMA) and Alberta Sustainable Resource Development (SRD) have developed the following Guidelines for the administration of the province's Municipal Wildfire Assistance Program (MWAP). This program has been designed to provide financial assistance to municipalities who incur extraordinary incremental costs in the suppression of wildfires outside Alberta's Forest Protection Area (FPA).

1.2 Principles

1.2.1 The MWAP is intended to assist in:

- (a) helping reduce both the risk and losses associated with wildfires outside FPA;
- (b) supporting local emergency preparedness for emergencies and disasters; and
- (c) motivating municipalities to implement wildfire prevention initiatives.

1.2.2 Only those losses and damages for which insurance was not readily and reasonably available at the time of the event are eligible for financial assistance.

1.2.3 Only those losses and damages for which a responsible party cannot be determined at the time of the event are eligible for financial assistance.

1.2.4 There is an underlying principle of cost share involved in the MWAP whereby once a municipality has incurred a cost of \$25 per capita, costs should be shared using the province's Sustainability Fund. The provincial share has been set at 75 per cent of the total eligible amount. The premise for this formula is based on the formula used in federal cost shared disaster recovery programs.

1.3 Purpose

The purpose of these guidelines is to outline the terms and conditions for the administration of the MWAP.

1.4 Definition of a Wildfire

For the purposes of the MWAP, a wildfire is defined as an unwanted or unplanned natural or human-caused wildfire that burns in forested, grassland or other vegetative areas outside the FPA.

1.5 Authority and Funding

- 1.5.1 These guidelines are approved by the Minister responsible for the *Forest and Prairie Protection Act* and the Minister responsible for the *Emergency Management Act* (Revised Statutes of Alberta 2000 – Chapter E-6.8) and are subject to Ministerial discretion as provided by Section 10 of the Disaster Recovery Regulation (Alberta Regulation 51/94).
- 1.5.2 The Managing Director of the AEMA is delegated the authority to amend this guideline.
- 1.5.3 According to section 7(1) of the *Forest and Prairie Protection Act*, municipalities are the wildfire authority outside the FPA, within their municipal boundaries. SRD has the mandate of wildfire management inside the FPA.
- 1.5.4 The MWAP funding for financial assistance will be provided by way of Order in Council made pursuant to Section 4(2)(a) of the *Fiscal Responsibility Act*.

Part 2 - Municipal Wildfire Assistance Program Approval Process

2.1 Information Gathering

- 2.1.1 When a wildfire occurs outside the FPA, a variety of sources may inform SRD or the AEMA of the circumstances. These include field staff, municipal requests for assistance, internal reporting mechanisms, other government departments and the media.
- 2.1.2 Such events should be monitored by SRD and AEMA with a view to gathering sufficient information to determine the nature and extent of loss, and damage and its impact.
- 2.1.3 The AEMA will provide affected municipalities with application forms to facilitate the submission of timely and accurate information with respect to damages in their respective areas. For an application to be considered for approval, the municipality must submit its application to the AEMA within 90 days of the beginning of the event.

2.2 Analysis

- 2.2.1 As data becomes available, concentrated efforts should be made by the AEMA to assess the need for the establishment of a MWAP. If such programs are to be truly effective, it is important they be established in a timely manner.
- 2.2.2 Information relating to the severity of the event will be reviewed by the Disaster Recovery Committee (administered by the AEMA) to determine if the criteria for approval of an application and subsequent program have been met.
- 2.2.3 The following situations are not eligible for assistance:
 - Insurance for the damage, loss or costs was reasonably and readily available before the disaster or emergency occurred.
 - There is a substantial likelihood that the damage, loss or costs could be recovered through legal action.
 - Funding of the full amount of the damage, loss or costs is available under other Government of Alberta programs.
- 2.2.4 The Disaster Recovery Committee, appointed under Section 5(1) of the *Emergency Management Act*, will provide a recommendation to the Minister of Municipal Affairs concerning approval of a MWAP.

2.3 Approval

- 2.3.1 Pursuant to Section 4(1) of the Disaster Recovery Regulation, the Minister responsible for the *Emergency Management Act* may approve a MWAP application if the Minister is satisfied the program criteria have been met. If and when the Minister approves a MWAP application, the Managing Director will administer the program in accordance with these Guidelines.

2.3.2 The approval process requires facilitating funding under Section 4(2)(a) of the *Fiscal Responsibility Act* and should be initiated by the AEMA as soon as possible.

2.4 Notification

2.4.1 Program Approval

- (a) Once a MWAP application is approved, the AEMA will notify applicants in writing.
- (b) The wording of the notification should include a concise description of the program, the precise geographic area it covers and, if appropriate, instructions regarding the submission process.

2.4.2 Application Closure

Notification of the program closure for applicants will occur two years from the date of the approval of the Order in Council. A letter will be forwarded to the municipality three months in advance of the pending closure date.

2.5 Administration

The AEMA, under the direction of its Managing Director, and in conjunction with SRD, is responsible for administering the MWAP on behalf of the Government of Alberta. This includes design and delivery of the program, and ensuring appropriate resources are available.

2.6 Evaluation

- 2.6.1 SRD and the AEMA will review each application prior to Disaster Recovery Committee presentation to ensure the information presented is valid and complete.
- 2.6.2 Financial assistance will only be available following the review of documentation provided by the applicant verifying the expense and proof of payment. Ineligible expenses will not be reimbursed.

2.7 Advance Payment

A municipality may request, in writing, an advance payment to address early funding requirements. These requests should contain supporting documentation, including actual interim expenditures and projected estimates. The total amount of the initial advance payment should not exceed 50 per cent of the total estimate of damages and emergency operations costs, as determined by SRD or the AEMA.

2.8 Closure

- 2.8.1 A limit of two years (from the date of the approval of the Order in Council) is established for completion of repairs and the submission of documentation to support an application for assistance.
- 2.8.2 A municipality may request an extension from the Managing Director of the AEMA, accompanied by a rationale and related statements of outstanding amounts and issues.
- 2.8.3 All outstanding claims from municipalities may be subject to program closure if a request is not received by the Managing Director of the AEMA within the two-year time limit.

2.9 Final Payment

- 2.9.1 Once a MWAP application is officially closed, no additional requests for assistance will be considered for that application. Final payment will be made based on receipt and review of all documents submitted by the applicant prior to the program closure.

2.10 Reconsideration

- 2.10.1 Every reasonable attempt will be made to resolve issues that arise between applicants, SRD and the AEMA, at the lowest level possible within SRD and the AEMA.
- 2.10.2 The Managing Director of the AEMA is the final arbiter on behalf of the Government of Alberta.

Part 3 - General Eligibility Criteria

3.1 Basic Considerations

Points to be considered in determining the eligibility of an application are:

- (a) The fire was a wildfire, as defined in 1.4.
- (b) The municipality incurred wildfire suppression costs actioning fire(s) outside the Forest Protection Area. Wildfires on unoccupied public lands are not eligible.
- (c) The municipal costs for actioning the wildfire or series of wildfires within the provincial fiscal year (April 1 to March 31) exceed the \$25/capita threshold.
- (d) The municipality has advised the AEMA of the fire and potential MWAP application as soon as is reasonably possible.
- (e) The municipality is unable to recover all of the costs through another government program or legal action.
- (f) The municipality has formally requested assistance from SRD (if appropriate) at the earliest practicable time, with the objective of reducing the spread and suppression costs of the fire.
- (g) The municipality provides the AEMA with accurate records summarizing the costs they incurred actioning the wildfire(s).
- (h) The municipality has mutual aid agreements with neighbouring municipalities, industrial fire departments (where available) and SRD.
- (i) The municipality has included notification and potential involvement of SRD in their municipal emergency plan.
- (j) The municipality has implemented a fire permit program according to SRD's Fire Permit Issuance Guidelines document.
- (k) The municipality has implemented a wildfire awareness program (e.g., FireSmart), which encourages the community and residents to take mitigative steps to protect their homes and property from the threat of fire.
- (l) One or more personnel from the municipal fire department have taken wildfire management courses approved by the manager of the local SRD area.
- (m) Where possible, the municipality has implemented an infrared scanning program for the detection and subsequent followup or actioning of winter holdover burning.

3.2 Insurance

- 3.2.1 Costs that have been paid to applicants by insurance companies or through legal actions or financial assistance from other sources are not eligible for financial assistance.
- 3.2.2 Costs of restoring or replacing insurable items are not eligible. Insurable means that insurance coverage for a specific hazard was available in the affected area at reasonable cost prior to the event. Reasonable cost and availability will be determined by SRD and the AEMA.
- 3.2.3 Where insurance is not considered to be readily and reasonably available, but an applicant has obtained coverage and it can be clearly demonstrated that the applicant is worse off as a result of having insurance, SRD and the AEMA may recommend the applicant be reimbursed for the difference between what the insurer paid and the eligible amount that would have been paid under the MWAP.

3.3 Limitations to Assistance

- 3.3.1 Contributions from recognized non-governmental organizations or those resulting from a special disaster-related fundraising drive can be used to support or offset the 25 per cent municipal share of the total eligible amount. If such contributions are more than the municipal share, the remainder will be used to support or offset the 75 per cent provincial share of the total eligible amount.
- 3.3.2 The following are not eligible under the MWAP:
 - (a) Loss of income, wages, profits and/or revenue, loss of production or productivity, loss of opportunity, inconvenience, loss of asset or market value or market share and reduction of yield (e.g., crops, livestock, wood).
 - (b) Losses or damages that are an ordinary or normal risk of a trade, calling or enterprise.
 - (c) Legal and other costs associated with the settlement of estates of people killed in the course of the wildfire.
 - (d) Punitive damage awards by courts or out-of-court settlements.
 - (e) Expenses incurred through normal day-to-day operations.
 - (f) Insurance deductibles.

Part 4 - Expenditure Eligibility

4.1 Response

4.1.1 Response expenditures from the onset of the event to six months after its end are eligible. Exceptions to the time limit may be considered on a case-by-case basis (e.g., if seasonal or other unavoidable delays extend damage assessment and stabilization operations beyond this period).

4.1.2 Eligible response costs may include:

- (a) Delivery of emergency services to the affected population, including temporary relocation, shelter, food, potable water, clothing, rescue and transportation, and related social and inquiry services.
- (b) Costs of providing emergency medical care, treatment and evacuation, and return of casualties following a wildfire.
- (c) Costs incurred to provide essential services, equipment, material and labour required to sustain the operability of public infrastructure.
- (d) Costs to provide short-term security measures in the affected area.
- (e) Short-term costs for setting up and operating emergency operations centres, including the rental cost of temporary telecommunications equipment, facilities and services.
- (f) Expenses and stipend payments associated with the use of volunteers registered with a recognized response agency in the response and initial recovery phases.
- (g) Registration of displaced people (such as is done by recognized non-governmental organizations).
- (h) Provision of mental and physical health counselling services to those affected by the wildfire or its response. Such services include post-disaster critical incident stress management, counselling and other immediate post-incident psychological and health interventions.
- (i) Provision of financial counselling services to those affected by the wildfire or its response.
- (j) Costs associated with making safe the public access and egress routes previously designated by the province or municipality.

4.1.3 The following response costs are not eligible:

- (a) Normal operating expenses, including maintenance budgets of those involved in the response, which includes municipal and provincial government departments and agencies.

4.2 Recovery

- 4.2.1 Recovery expenditures from the onset of the wildfire to the program closure are eligible. Exceptions to the time limit may be considered, on a case-by-case basis (e.g., if seasonal, regulatory or other unavoidable delays extend damage assessment and stabilization operations beyond this period).
- 4.2.2 Eligible recovery costs may include:
- (a) Repairs or replacement to pre-existing functional condition of uninsurable Government of Alberta and municipal infrastructure.
 - (b) Costs of appraising and estimating damage, if they are additional to the work carried out by regular employees and occur within the immediate post-fire period.
 - (c) Clearance of debris and wreckage.
 - (d) Making safe (including removal of trees and tree limbs) any public infrastructure and public facilities, including beaches, zoos and parks, which constitute a threat to public safety.
 - (e) Rental or rental equivalent costs of machinery and equipment required to deal with the immediate effects of a wildfire, including leasing and operating costs, as well as repair costs.
 - (f) Reasonable costs for the restoration (to as close as practicable to the original state or capability) of property damaged by those authorized to take necessary actions in the course of fire response, but not the fire itself.

4.3 Repair and Restoration Costs

- 4.3.1 The actual costs incurred for repairing or restoring an item or facility to its immediate pre-existing functional condition will be the maximum amount eligible as determined by the AEMA.
- 4.3.2 The actual costs incurred for reclamation of land damaged while fighting the wildfire will be the maximum amount eligible as determined by the AEMA.
- 4.3.3 In the case where permanent repairs or replacement are better than pre-existing functional condition, the amount eligible may be no greater than the amount required for restoration, repair or replacement to the immediate pre-wildfire functional condition as estimated by a technical authority acceptable to the AEMA.
- 4.3.4 Additional repair or replacement costs required to meet current federal, provincial and municipal codes and standards for construction, access, and fire and occupational safety are eligible.
- 4.3.5 The following costs are not eligible:
- (a) Costs associated with post-event inquiries, commissions or other studies.
 - (b) Costs associated with decorative or ornamental landscaping.

- (c) Normal day-to-day operating expenses, including maintenance budgets of those involved in the recovery, which includes municipal and provincial government departments and agencies.
- (d) Reclamation or restoration costs that are a direct result of the wildfire.

4.4 Road Restoration

- 4.4.1 Costs associated with restoring roads, including associated guardrails, signage, signalling devices, sidewalks, bridges, tunnels, overpasses, underpasses, causeways, culverts, verges and drainage systems to their pre-fire functional condition are eligible in the following categories:
- (a) Roads and highways on the inventory of and maintained by a provincial government department.
 - (b) Roads and highways on the inventory of and maintained by a municipality.
 - (c) Multiple-use, privately constructed industrial roads (e.g., forestry, mining) used by both the industry and the general public, particularly as evidenced by the province or a municipality formally undertaking to maintain such roads by agreement with the industry operators on a long-term or permanent basis. In other words, the roads are intended to survive the depletion or cessation of exploitation of the particular resource they were built to access.
 - (d) The clearance of debris, such as fallen trees and utility poles from a road right-of-way, will be eligible to the extent the debris causes a direct impediment to use or potential hazard to those using the actual road surface, shoulder and adjacent paved or gravel pedestrian public pathways.
 - (e) Private roads damaged by heavy equipment in response to the event.

4.5 Municipal Equipment

- 4.5.1 Provincial, municipal or other public authorities may use their own equipment and resources to the extent practical, prior to contracting outside resources. Use of community or government-owned equipment is eligible for reimbursement. This includes heavy equipment, as well as smaller equipment such as ½ ton trucks, water pumps, generators, etc. The rates reimbursed are based on 50 per cent of the current Alberta Road Builders and Heavy Construction Association (ARHCA) equipment rental rates. Miscellaneous equipment not included in the ARHCA schedule will have reasonable rental rates applied as determined by SRD and the AEMA. Time sheets for the machinery and the operators must be carefully recorded to substantiate total hours of use. All equipment included in the submission must be listed complete with a detailed description.
- 4.5.2 Contracted intergovernmental costs (e.g., mutual aid) are considered eligible.

- 4.5.3 The cost of equipment purchased and retained is not eligible (e.g., a portable electric power generator, cell phones), unless it can be demonstrated it is more cost effective to purchase than it would be to rent the equipment. Where an item had to be purchased because it was essential and renting it was either not possible or practical, only the difference between the original purchase price and the item's residual market value immediately after its use during the event (generally 50 per cent as determined by the AEMA) is eligible. While the rental or temporary acquisition of informatics equipment and off-the-shelf software needed to deal with administrative and operational aspects of disaster response are considered eligible, costs to develop special software are not eligible.

4.6 **Municipal Personnel**

- 4.6.1 For eligible wage costs of operators who are public sector employees, wages may be determined in accordance with public employment union contracts and other employment contracts. Wages of contracted private sector operators are eligible for reimbursement.
- 4.6.2 Regular employees - Only wildfire-related paid overtime for regular employees is eligible for reimbursement. Labour that falls within the employee's regular work day is not eligible.
- 4.6.3 Casual employees - All costs for casual employees hired specifically for wildfire-related work are eligible for reimbursement. These casual employees should not be engaged in any other work. The municipality must submit a list of all casual employees specific to the wildfire.
- 4.6.4 Temporary employees - Hired to replace regular employees who are involved with wildfire-related response and repair are eligible.
- 4.6.5 Equipment operators - Operators are considered to be anyone operating specialized equipment or trucks that are 1 ton and over. All operator hours are eligible for reimbursement. Operator timesheets should clearly indicate what equipment is being operated and the date and hours involved.
- 4.6.6 Expenses - Expenses incurred by employees during wildfire-related work will be considered for reimbursement.

Please Note: Banked overtime is not eligible for reimbursement. Overtime must be paid to be considered for reimbursement. If the employee's timesheet indicates banked overtime, reimbursement will not be provided until proof of payment is submitted.

- 4.6.7 Costs associated with the deployment of military personnel and equipment are eligible provided the activities undertaken are eligible.

4.7 Administration Costs

Administration overtime or contract costs may include damage assessment, advice to the public, municipal counselling, visibility provisions and maintenance of auditable records. Overtime costs that involve administration activities related to the wildfire response are eligible. Hiring supplementary staff and the leasing of temporary facilities and equipment to support the administrative function is also eligible. “Temporary” means up to two months in most circumstances. The AEMA may permit an extension in exceptional circumstances, where it can be demonstrated a substantial continuing administrative load continues to exist.