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To: WFCFA and WSFC Members  
From: Brian Snure  
Re: 2022 DNR Interagency Agreement

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This Memorandum was prepared at the request of the Washington State Fire Commissioners Association and the Washington State Fire Chiefs Association. The Memorandum provides a general commentary summarizing the author's review and negotiation of changes to the 2022 DNR Interagency Agreement and is not intended as legal advice to any specific fire agency. **If you have specific questions or concerns regarding the Agreement you should contact your legal counsel.**

This office, in conjunction with other fire department attorneys and with the support of the Washington Fire Commissioners Association and the Washington Fire Chiefs Association worked with a subcommittee of fire chiefs from the Fire Defense Committee to negotiate changes to the 2022 DNR Interagency Agreement. This memorandum provides a summary of the changes reflected in the 2022 Agreement.

**Section 5.** DNR agreed to remove the previous 10 year record retention requirement in favor of language that requires retention under the Washington State Records Retention Schedules.

**Omitted Section.** DNR agreed to remove the unnecessary Rights to Data section that had been present in prior agreements.

**Section 10.** DNR agreed to remove the binding non-judicial dispute resolution provision and adopt an approach that encourages non judicial dispute resolution but allows for judicial resolution of disputes.

**Section 15.** The primary concern with the Agreement over the past years was the indemnification language, which was one sided and overly broad. DNR has agreed to a narrower mutual indemnification provision.

**Section 16.** DNR agreed to clarify the Self-Insurance language. DNR increased insurance limits from \$1,000,000 per occurrence to \$2,000,000 and would not agree to reduce the limits back to \$1,000,000. This is the same limit DNR includes in its Forest Land Response Agreements. If your entity does not carry limits that meet the language of the agreement your entity will need to discuss coverage of this agreement with your carrier.

**Section 17.** DNR added Covid vaccination compliance language tied to Proclamation 21-14.2. Multiple parties are working to modify the vaccination requirement as it applies to wildland firefighters. If Proclamation 21-14.2 is modified to exempt wildland firefighters that modification will control.