



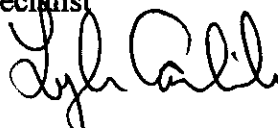
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BUREAU OF INDIAN AFFAIRS
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Instructional Memorandum BIA-NIFC-71

February 21, 2007

Memorandum

To: All Regional Directors, All Regions
Attention: Regional Fire Management Officers
Fuels Specialists
Wildland Urban Interface/Prevention Specialist

From: Director, Branch of Wildland Fire Management 

Subject: Use of the Prescribed Fire Burn Boss – Type 3 and Agency Responsibilities for Low and Very Low Complexity Prescribed Fire Planning and Implementation

Current policy which guides the use of the Prescribed Fire Burn Boss – Type 3 (RXB3) position is contained in the Interagency Prescribed Fire Planning and Implementation Procedures Reference Guide (*herein referred to as the Interagency Guide*) and the BIA's Fuels Management Handbook, 2006 (*herein referred to as the Fuels Handbook*). As stated in the Director, Wildland Fire Management's October 26, 2006 memorandum, "policy direction and requirements in the Interagency Guide will supersede those in the Fuels Handbook, with regard to prescribed fire planning and implementation, unless specified . . . in future policy memoranda." The Director further stated that "the Handbook's policy and guidelines that addresses non-prescribed fire activity, such as monitoring and mechanical treatments, remains in effect.

This memorandum reiterates policy contained in the Interagency Guide and Fuels Handbook related to the use of RXB3 positions, and revises policy contained in the Fuels Handbook that is related to the RXB3 position and agency responsibilities for low or very low complexity prescribed fire planning and implementation.

This directive answers the following frequently asked questions:

1. *When is a RXB3 required and what prescribed fire treatments can they manage?*
2. *What is the Agency's responsibilities when managing low complexity prescribed fires that have historically been conducted by logging contractors, allottees or under a lease agreement?*

The determination as to the need for a prescribed fire plan is prerequisite to all subsequent decisions regarding an agency or tribe's responsibility for planning and implementation. A

prescribed fire plan is required whenever prescribed fire is used as a management tool to meet land management goals. The Interagency Guide requires that the "use of prescribed fire will be supported by a Land/Resource Management Plan (L/RMP) and/or Fire Management Plans (FMP)" and that "Prescribed fire projects can only be implemented through an approved Prescribed Fire Plan."

Once the need for a prescribed fire plan is determined, the Agency Administrator must ensure that only trained and qualified personnel participate in the implementation portion of the prescribed fire and the Prescribed Fire Burn Boss is qualified for the complexity of the burn.

When is a RXB3 required and what treatments can they manage?

The Interagency Guide describes what is minimally acceptable for prescribed fire planning and implementation. It states that "Adoption of the RXB3 position is up to each agency" and that "Non-federal RXB3s must meet the qualifications (listed in table 2, pg. 8 of the Interagency Guide) . . . unless local agreements specify otherwise." It further states that an "RXB3 will only be allowed to implement low complexity prescribed fires where the possibility of spread or spotting outside the project area is negligible to non-existent; multiple fuel models are not involved and aerial operations are not involved." This directive **reiterates a more restrictive standard** that is carried over from the Fuels Handbook:

An RXB3 can only be used on "Very Low" complexity prescribed fires. A Very Low complexity prescribed fire has a final low rating assigned for each of the complexity elements, for each of the three complexity factors in the NWCG Complexity Rating System Guide, January, 2004. In addition to the very low summary complexity rating, treatments are limited to pile burns under wet or snow covered conditions (no potential for spread or spotting), ditch bank burns, right-of-way burns and vacant lot burns with good barriers, field or wetland burns with minimal chance of escape, smaller burns in grass or light fuel types which require only a few personnel for all implementation, including contingency.

Due to the nature of a very low complexity burn, an RXB3 may perform multiple duties such as an ignition specialist or fire effects monitor; instructing crews on ignition operations and safety; and monitoring weather and smoke conditions.

What is the Agency's responsibilities when managing low complexity prescribed fires in cooperation with logging contractors, allottees or under a lease agreement?

Many agencies and tribes use logging contractors effectively to implement low complexity burns as part of the contract obligations. In addition, some agencies issue permits to allottees for low complexity agricultural and range burns. In some cases, agricultural burns are stipulated in a lease agreement. If these burns are prescribed fire management actions designated in an approved L/RMP or FMP, the Bureau is responsible for the planning and implementation and **must** adhere to the policy established in the Interagency Guide. In addition, the following

standards for planning and implementation for low and very low complexity burns apply. This directive essentially reiterates policy in the Fuels Handbook with minor revisions to address allottees and prescribed fire lease stipulations:

For prescribed fire conducted on allotments, or under contract, permit, or lease stipulation as a management action:

The Bureau may contract all or part of a prescribed fire. Standard contracting and permit procedures will apply. When contracting for all or part of a project activity, contract specifications shall be established to ensure objectives are met. Bureau contracts and lease stipulations for prescribed fire must adhere to all planning and implementation requirements outlined in the Interagency Guide. For prescribed fires evaluated to have low or very low complexity, the agency and its local cooperators (including allottees) will jointly agree on qualification requirements (see NWCG PMS 310-1, pg. 11) These include training, experience, qualifications, personal protective equipment, and fitness. These standards must be documented in a local agreement.

A timber sale contract's requirement for piling is not a surrogate for a prescribed fire implementation contract. Pile burning must meet planning requirements outlined in the Interagency Guide and be managed by a qualified Burn Boss at the appropriate complexity level.

The Bureau's Fuels Program Business Management Handbook issues guidance for the planning and implementation for hazardous fuels treatments on non-trust land. Please reference section 5.b.ii of the Handbook for more policy information. *

If an agency or tribe is using prescribed fire outside the scope and authority of the Interagency Guide, e.g., issuing burn permits for agricultural field burns that are considered management actions without adhering to a prescribed fire plan, or using cooperators outside NWCG PMS 310-1 standards without an agreement, they are at risk of being negligent should an escape occur. These agencies are encouraged to work with their local solicitors to assure they are "held harmless" for any damages resulting from an escaped prescribed fire.

If you have any questions please contact Dennis Dupuis, Associate Director at 208/387-5041, Fire/Fuels, Sam Scranton, Deputy Director, Fire/Fuels at 208/387-5794 or this office at (208) 387-5575 for any information concerning the national Hazardous Fuels Program.