

Bureau of Indian Affairs Fuels Management Program



**2008
Business Rules
Handbook**

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This document sets standardized operating procedures, guidelines and policy for the management and administration of the BIA, Hazardous Fuels Reduction (HFR) Program for Indian Country.

In addition to the references contained in 90 IAM Chapter 3, Section 3.4, the following procedural documents will be used by agencies and tribes to guide business management practices relating to the management and administration of the BIA Hazardous Fuels Program.

- Administratively Determined Pay Plan for Emergency Workers
- Interagency Incident Business Management Handbook
- Certifying Officer/Assistant Disbursing Officer (CO/ADO) Handbook

The following authorities apply to this document and program:

- 25 C.F.R.
- Tribal Self-Determination Act (P.L. 93-638)
- Tribal Self-Governance Act of 1994 (P.L. 103-413)
- National Indian Forest Resources Management Act (P.L. 101-630)
- Department of Interior and Related Agencies Appropriation Act (P.L. 103-32)
- Departmental Manual Part 620, Wildland Fire Management
- Indian Affairs Manual Part 90, Wildland Fire Management
- Approved Interagency Cooperative Agreements
- Indian Affairs Manual Part 53, Forest Management
- Tribal Forest Protection Act

C. Authorized HFR Programs

1. WUI (Wildland Urban Interface)

Since the development and implementation of the National Fire Plan, a marked increase in attention to fuel treatment in the WUI has occurred. However, there appears to be some confusion and interpretations differ as to what WUI actually is and what constitutes reportable WUI projects. The following information reinforces existing definitions and clarifies valid fuel treatment projects.

“Wildland Urban Interface” currently has two accepted definitions:

*The urban Wildland interface community exists where humans and their development meet or intermix with wildland fuel.*¹

Or

*The line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuel.*²

The use of either definition is acceptable when determining which projects are assigned to the WUI Program.

a. Purpose of Wildland Urban Interface Projects

WUI projects, including treatments, associated planning activities and community assistance, are designed to reduce risks to people, property, structures, and other human development. The WUI Program includes two primary activity categories:

- (1) **WUI Projects:** This category of the Program includes all activities associated with fuels inventory, project planning (including project level compliance work), operational implementation (treatments), and treatment monitoring. Projects may include one or several treatments aimed at manipulating fuels complexes to alter amounts, composition, distribution, and structure of fuels so that predicted fire behavior, adjacent to, or outside the WUI after treatment will be acceptable and capabilities to control wildland fire within the interface will be increased.

HFR treatments can be conducted within, adjacent to, or outside the WUI. However, to meet designation as a valid and reportable WUI fuel treatment project, the sum of the activities must clearly support hazardous fuels reduction, potential fire behavior modification, and risk reduction to the people and the community.

- (2) **Community Assistance:** This program is conducted under the National Fire Plan with the main focus being on building state and community capacity to develop and implement citizen-driven solutions that will lessen local vulnerability to risks associated with Wildland Fires. In building this capacity, community assistance funding will facilitate the development of a collaborative, community-based approach to reduce risks to homes and property through many activities. *Any project which will result in the reduction of hazardous*

¹ *Federal Register/Vol. 66, No. 3/Thursday, January 4, 2001/Notices; and A Fire in the West, The Wildland/Urban Interface Fire Problem@ A Report for the Western States Fire Managers, September 18, 2000.*

² *NWCG Glossary and the 10-Year Comprehensive Strategy Implementation Plan.*

fuels in the WUI environment should be categorized as a WUI treatment and not community assistance.

All community activities should be coordinated with prevention staff at the local unit. Community Assistance and the Prevention Program both strive to increase the level of community awareness, identify values and risks, develop partnerships among local governments and communities, and build collaborative mitigation strategies.

b. WUI Project Focus

WUI projects and activities will focus on:

- High-risk communities and adjacent resource values that are inherently important to the social and/or economic stability of the community.
- “Communities at Risk” published in the Federal Register, Communities of Interest identified in NFPORS, and future communities identified by the local collaborative efforts.
- Treatments in and around communities identified as high priority in local or regional risk assessments, Community Wildfire Protection Plans (CWPP), or CWPP equivalent.

In addition, WUI Projects and Activities will:

- Increase wildland fire safety to the public and to firefighters.
- Reduce risk of unwanted wildland fire to communities, and the resulting negative effects to associated elements, such as resource-related jobs, communication infrastructure, transportation networks, municipal watersheds, and utilities.
- Strengthen rural economic sustainability and increase opportunities to diversify local economies.
- Increase public education and understanding about the importance of implementing hazardous fuels risk reduction activities on both federal and private land.

c. Eligible Land Status and Activity

WUI projects and activity may be conducted on tribal trust and restricted land, tribal fee, private, state, and federal property located in and adjacent to tribal communities. Tribal trust and restricted Indian lands should be considered the highest priority for treatments. A Cooperative Agreement, which authorizes the BIA to develop and implement a

Prescribed Burn Plan or Mechanical Fuels Treatment Plan, with the Landowner is required. See Section A. 2.b. of this chapter for more information concerning cooperative agreements.

Treatments may be applied to “Activity” and “Non Activity” fuels. See Program Cost Sharing, Section F. 2 of this chapter.

2. Non-WUI

For all practical purposes, Non-WUI treatments and activities are those that are planned and occur outside the WUI.

Non-WUI treatments are primarily designed to reduce levels of hazardous fuels, and restore or maintain healthy ecosystems on a landscape scale. Activities include fuels inventory, project planning, and compliance work, operational implementation (treatments), and treatment monitoring. A Project may include one or several treatments designed to move amounts, composition, distribution, and structure of live and dead fuels towards a desired future condition. Treatments may include prescribed burning, mechanical, biomass utilization, chemical, and biological applications. Some examples include underburns, thins, mastication, lopping, pruning, mowing, piling, and herbicides.

a. Non-WUI Project Focus

Non-WUI projects and activities will focus on:

- Treating Condition Class 2 and 3 inside Fire Regimes I, II and III
- Treatment and cost effectiveness
- Maintenance burns in Condition Class 1.
- Landscape level planning and operational implementation
- Strategic placement of treatments
- Biomass utilization
- Treating landscapes at highest risk based on local and/or regional risk assessments, and
- Expanding on WUI projects within those landscapes.

In addition, Non-WUI Projects and Activities will:

- Increase wildland fire safety to the public and firefighters.
- Restore and maintain healthy fire-adapted ecosystems.
- Reduce risk to cultural and historic resources and landscapes.
- Strengthen rural economic sustainability and increase opportunities to diversify local economies.
- Support attainment of tribal land management planning goals and objectives.
- Monitor treatments to quantify and/or qualify our progress toward meeting tribal objectives.

b. Eligible Land Status and Activity

Non-WUI projects and activity may be conducted on tribal trust and restricted land, individual allotments, tribal fee, private, state, and federal property located in, and adjacent to, tribal communities. Tribal trust, individual allotments, and restricted Indian lands should be considered the highest priority for treatments.

In addition, there may be occasions on intermingled lands when it is economically justified to include private land within a fuels treatment project. A Cooperative Agreement which authorizes the BIA to develop and implement a Prescribed Burn Plan or Mechanical Fuels Treatment Plan on the Landowner's property is required. Non-WUI projects may be applied on fee land only when the planning and implementation of the project is a collaborative effort and is justified for cost effectiveness, firefighter and public safety, and or community protection of property. An example agreement is illustrated in Appendix C. The agreement will be approved by a Line Officer (as Regional policy dictates) and specify the exact lands involved, the overall objectives and what actions each party will take, if applicable.

Accomplished acres may only be reported on private land if those acres are included in the Prescribed Burn Plan or Mechanical Fuels Treatment Plan.

Treatments may be applied to "activity" and non-activity fuels. See Section F. 2 of this chapter for Hazardous Fuels Treatment Funding Eligibility Requirements.

D. Collaboration, Funding and Treatment Priorities

1. Interagency

a. Collaboration

The National Fire Plan Strategy documents entitled “*A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment: 10-Year Strategy*,” in and its associated “*Implementation Plan (2002)*” established a framework for collaboration among departments, tribes, states, counties and non-governmental partners. The update of the *10-Year Strategy Implementation Plan* (December, 2006) launched on a new collaborative framework to assure collaboration between federal, tribal, state and local government focuses on planning, prioritizing actions, timely decision making, tracking performance and monitoring, and communication to the public. Other policy documents that endorse collaboration include: the 2001 Appropriations Language, Healthy Forest Initiatives (2002), Healthy Forest Restoration Act (2003), Tribal Forest Protection Act (2004) and the updated Cohesive Fuels Treatment Strategy (2006).

b. Identifying and Prioritizing Communities at Risk

The Wildland Fire Leadership Council (WFLC) approved Field guidance for identifying and prioritizing communities at risk in 2003. The document provides a collaborative process for assessing the risk to communities from wildland fire identifying the highest priorities for treatment on a state-by-state basis. This process will facilitate the selection of fuel treatment projects for the joint programs of work required by the MOU. Intranet access to this document is available, see Appendix G.

2. Departmental

a. Hazardous Fuels Priority Allocation System and Risk Assessments

The 2007 GAO Report to Congress entitled “*Wildland Fire Management - Better Information and a Systematic Process Could Improve Agencies’ Approach to Allocating Fuel Reduction Funds and Selecting Projects*” identifies 5 key steps to advance the agencies goals of effectively reducing the risk of wildland fire to communities and the environment. Specifically, when allocating funds and selecting projects, the agencies could improve their processes by (1) consistently assessing all elements of wildland fire risk, including hazard, risk, and values; (2) developing and using measures of the effectiveness of fuel reduction treatments; (3) using this information on effectiveness (once developed) to assess the cost-effectiveness of potential treatments; (4) clarifying the relative importance of the numerous factors

they use in allocating funds, including factors unrelated to risk or effectiveness; and (5) following a more systematic process in allocating funds. For intranet location of the complete report, see Appendix G.

The impetus of GAO's recommendations stem from congressional concerns over effective allocation of HFR program dollars. Agencies may recognize the importance of risk, treatment effectiveness, and cost effectiveness, yet they have not effectively incorporated them into their allocation processes. Congress and the Department of Interior (DOI) need assurance that project funding reaches the highest priority projects on a national scale.

The DOI, in collaboration with the US Forest Service (USFS), have been working together to develop the Hazardous Fuels Prioritization and Allocation System (HFPAS), employing EMDS (Ecosystem Management Decision Support). EMDS is a management tool that weighs various allocation criteria such as wildfire potential, ecosystem consequences, ecosystem vulnerability, and performance to determine a Fuels Management Priority score for each Bureau. This score is then utilized to inform decisions on budget allocation among DOI Bureaus

Future allocation of hazardous fuel funding will be accomplished through the HFPAS or a similar decision process to any geographic unit desired, including a Fire Planning Unit (FPU). HFPAS may be used to inform the allocation of hazardous fuels funding first among the bureaus, then within each bureau to the regional level. Fifteen percent of the '08 HFR project dollars were distributed based on HFPAS. It is likely that a larger portion of the program will be processed by HFPAS or similar model in the future.

b. Fuels Treatment Priorities

Fuel Treatment Priorities were reestablished in a memorandum from the Assistant Secretary, Policy, Management and Budget dated March 17, 2005. The priorities are:

- All projects must result from a collaborative process.
- Funding will be targeted to the WUI.
 - Projects near WUI communities at greatest risk of fire.
 - Communities that have completed a Community Wildfire Protection Plan (CWPP) or its equivalent; and
 - Communities where there is an active partnership with volunteer efforts, in-kind services, and/or partners are contributing funding.
- Non-WUI areas in Condition Class 3 or 2 in Fire Regimes I, II, or III, or those in Condition Class I where landscape conditions could quickly deteriorate to Condition Class II or III.

- Projects using mechanical treatments, with special emphasis on projects yielding biomass for off-site economic use.
- Projects using contractors, particularly contracts that support rural community stability.
- Prescribed burning will be used when weather and resource conditions permit, where mechanical treatments are not appropriate, and as maintenance treatments following mechanical work.

Refer to Appendix G for intranet access to this document.

3. Bureau

Tribal land and resource management plans set the goals and objectives for the use and desired future conditions of Indian trust/restricted lands. The Fire Management Plan and other supporting documents to these programmatic plans, further define the goals, objectives, operational procedures and policy for the agency or tribe's Fuels Management Program. Fuels treatment projects are tools to meet objectives described in the Fire Management Plan. Therefore, the local Fire Management Plan will be used in conjunction with the National Fuel Treatment Priorities (described above) to set the priorities for local unit fuels treatment programs.

The GAO's 2007 Report to Congress found that risk assessments are not consistently used at the national, regional and local levels. HFPAS meets these requirements for national funding prioritization and allocation among bureaus. Systematic processes are deficient at the regional and local levels.

BIA-NIFC has developed a framework for a regional risk assessment. This framework compliments HFPAS by using the same or similar geospatial data and decision model allocation criteria. Each Region has until October 1, 2009 to adopt or modify this skeletal framework, or develop their version of a regional risk assessment. The results of the assessment will be used to select project priorities and inform the allocation process for their 2010 and beyond HFR project funds. Other systematic processes may be used in the interim i.e., the BIA Hazardous Fuels Treatment Selection Guide discussed below. See Appendix G for information on intranet access to this model and its metadata.

Other considerations will affect priority assessment at the local unit level. Examples are: management emphasis, operational capability, smoke management, wildlife management issues, constrained windows of opportunity, required prerequisite steps, and spatial distribution of treatments to break up landscape continuity.

Development of a CWPP (or equivalent), an important prioritization consideration for WUI projects, is normally accomplished through the wildfire

prevention planning process. This process requires identification of all communities within the local unit's jurisdiction and assessment of all associated risks and hazards for prioritization of proposed treatments. Fuels and prevention staff are encouraged to collaborate on risk assessments and CWPPs, or equivalent documents, to assure consistency. For details on CWPPs and/or equivalency requirements reference the BIA National Wildfire Prevention Handbook.

The BIA Hazardous Fuels Treatment Selection Guide is a planning tool to assist in the selection of high priority projects. Its use is optional at the regional level. Agency and tribal programs may use the Guide if other processes are not available. Instructions are included on the first of three worksheets that comprise the Excel spreadsheet. It is available on intranet, see Appendix G.

E. Performance Measures

The performance measures relative to the HFR Program are addressed in the 10- Year Strategy Implementation Plan titled "A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment. They are listed here for further reference:

1. Goal 2 – Reduce Hazardous Fuels

- Number and percent of WUI acres treated that are identified in CWPPs or other applicable collaboratively developed plans, and the number and percent of non-WUI acres treated that are identified through collaboration consistent with this Implementation Plan.
- Number of acres treated per million dollars gross investment in WUI and non-WUI areas.
- Percent of collaboratively-identified high priority acres treated where fire management objectives are achieved as identified in applicable management plans or strategies.

2. Goal 3 – Restoration and Post Fire, Part A – Restoration of Fire-Adapted Ecosystems

- Number and percent of acres treated, through collaboration consistent with this Implementation Plan, identified by treatment category (i.e. prescribed fire, mechanical, and wildland fire use).
- Percent of natural ignitions occurring in areas designated for wildland fire use or consistent with wildland fire use strategies that are allowed to burn and the number of acres burned.

- Number and percent of acres treated to restore fire-adapted ecosystems which are: 1) moved toward desired conditions, and 2) maintained in desired conditions.

3. Goal 4 – Promote Community Assistance

- Number and percent of communities-at-risk covered by a CWPP or equivalent that are reducing their risk-from wildland fire. A community is at reduced risk if it has satisfied at least one of the following requirements: 1) recognized as a FIREWISE community or equivalent, or 2) enacted a mitigation/fire prevention ordinance, or 3) high priority hazardous fuels identified in a CWPP or equivalent are reduced or appropriate fuel levels on such lands are maintained in accordance with a plan.
- Number of green tons and/or volume of woody biomass from hazardous fuel reduction and restoration treatments . . . that are made available for utilization through permits, contracts, grants, agreements, or equivalent.

F. Program Capacity and Efficiency

National Fire Plan HFR funds met the needs of Indian Country during the first three years of the program. During 2001 to 2004, agency and tribal fuels programs increased their capacity to treat hazardous fuels. The HFR program experienced slight increases since 2004, specifically to fund programs like LANDFIRE, FIREMON and other national initiatives. The national program experienced its first reduction (\$10 million) in 2007 and narrowly avoided a \$40 million rescission in 2008. This, coupled with the effects of inflation, has reduced available funding for projects. Additional program funds are not available now, or in the foreseeable future.

Program efficiency plays an increasing more important role in the distribution of hazardous fuels funding. Tribes and agencies must take advantage of other program opportunities to leverage funds and increase their capacity to treat hazardous fuels in wildland and the wildland urban interface.

1. Performance Based Allocations

In addition to HFPAS, BIA-NIFC will allocate funds to regions based on each Region's demonstrated ability and capacity to achieve targets established in NFPORS.

2. Program Cost Sharing

The HFR program may be used to fund all or a portion of the cost for treatment of activity fuels. Refer to the criteria established below and Appendix B. Activity fuels, in general, are fuels that result from silvicultural or other cultural treatments implemented to improve site productivity and result in the extraction of commercial forest, woodland, or other products and biomass. The following standards must be followed when combining natural fuels project treatments with treatments for activity fuels:

a. Integration of Hazardous Fuels Reduction with Forest Management

HFR funding may be used to offset “deficit sales” or treatment activity (including biomass utilization) that produces a negative return. Only those funds required to bring the sale/activity to a break-even point will be approved. A valid timber cruise and appraisal must be prepared and account for all products extracted by the contractor or permittee. The forest products associated with hazardous fuels reduction may be offered in contracts for minimum stumpage rates, which are administratively determined or designated in the Timber Use Policy Statement. If products are advertised and sold at stumpage rates exceeding the minimum standard, the difference from the advertised and bid rate would be subtracted from the total cost of the HFR program treatment to determine the fair-share contribution of the HFR program.

When hazardous fuels are sold as merchantable products, the portion of the volume that would meet the normal merchantability specification will be counted toward the program’s allowable annual cut.

b. Biomass Utilization and Hazardous Fuels Reduction

When Biomass is used for energy, the HFR program may be used to cost share or fully fund treatments. Any revenue to the tribe from putting energy onto a grid must be adjusted to a green ton basis and deducted from the HFR program’s contribution to the project. If bio-energy is used by the tribal enterprise, housing unit, school or other facility, no deductions are necessary.

c. WUI and Non-WUI Funding Use Criteria for Activity and Non-Activity Fuels

The purpose of this handbook section is to define the allowable funding limits for WUI and Non-WUI treatments and activities, with special emphasis on silvicultural treatments associated with commercial timber sales. Funding use criteria were developed using the following principles:

- Identify equitable cost shares for hazardous fuel mechanical treatments conducted on “activity fuels” acres.
- Provide incentives for treatments occurring in CC2 and CC3 in all Fire Regimes
- Support maintenance treatments in Fire Regime I, CC1
- Support funding for hazardous fuels reduction on deficit sales
- Provide incentives for ecosystem restoration treatments.

Three sets of tables are located in Appendix B. They include an Activity Table, five Funding Use Tables, and a Funding Table. The first two tables are dichotomous keys. They guide you step by step (with the use of hyperlinks) to the Funding Table, which provides the percentage of hazardous fuels funding eligible for Planning, Treatments, and Monitoring. Each step addresses project related information, which is used as criteria to take you to the next step. Criteria include Fire Regime, Condition Class, biomass utilization, stumpage or economic return, fuel breaks, and treatment types.

An alternative cost share guide titled “HFR and Activity Fuels Cost Sharing Guide 03_17_06.pps” (using a PowerPoint format) is available on the BIA Intranet, refer to Appendix G. You may find this format easier to navigate through as it is less complex than the dichotomous key in Appendix B.

Chapter 2 -- Authorized Expenditures for Fuels Management Funds**A. Authorized Program Expenditures**

There are four categories of program expenditures: Positions, Projects, Community Assistance, and Supplementals. Authorized expenditures for each category within the WUI and Non-WUI programs are described in the following sections.

1. Positions

Only positions of specified series and grade levels formally approved by the Director, Branch of Wildland Fire Management will be funded through the HFR Program. These must fully comply with established Interagency Fire Program Management (IFPM) direction pertaining to position qualifications.

To ensure that funding remains focused on accomplishments, BIA-NIFC applies a 20% administrative cap against the HFR program for approved fuels positions. Currently the 20% cap has been exceeded as project funds have leveled off and costs of living and other administrative expenses increase annually. No new fuels positions will be approved until new funds are available.

Approved fuels positions are funded only when the position is occupied by a qualified individual at the appropriate grade level associated with agency complexity. Position funding is not distributed to any vacancy during the funding allocation cycle. When vacancies are filled, funding will be distributed by BIA-NIFC when requested by the Regional Fuels Specialist. HFR program FTE are managed nationally and not fixed to one region, agency or tribe.

The following positions are available for full or partial funding from the HFR Program:

a. Fuels Positions

Funding for salaries, benefits and support costs for permanent, career seasonal and temporary personnel who are hired specifically for the hazard fuels program, inside or outside the defined fire season is authorized if these employees spend at least 80% of their time on duties associated with the WUI or Non-WUI program and the position is approved by BIA-NIFC. Actual EBC percentages should be included. The maximum allowed is 15 percent for CSRS and 40 percent for FERS.

(1) Encoding Wildland Fire Suppression Overtime and Hazard Pay for Fuels Positions

Funded, permanent full time fuels personnel (BIA-NIFC approved positions) must lapse their “base 8” fuels funding when assigned to a Wildland fire. Example: A fuels person would code their “base 8” and all overtime and hazard pay earned on a wildland fire to “92310” and the appropriate Fire Code.

b. Administrative Support, Program Planning and Compliance Positions

Permanent positions for program planning and compliance (i.e. GIS analysis, environmental and cultural compliance) may be authorized and funded through the fuels program. The location of these positions will be approved by BIA-NIFC using program workload, complexity and the following rationale:

The HFR program must support actual, on-the-ground accomplishment of projects. Therefore, with respect to fuels planning and compliance, position funding will not be authorized until such time that a region, tribe or agency, can demonstrate the position provides a long-term benefit and efficiencies to the program. For example, one position effectively provides planning and compliance in a regional or zone environment for several tribes or agencies, or the position is necessary to support the needs of a single complex program.

In special circumstances, partial funding is authorized for a position that supports the fuels program i.e. a regional contracting specialist. The rationale stated above, applies here as well.

Position funding is available from the WUI and Non-WUI programs and is recurring for approved positions. Unobligated funds carry-over but are redistributed nationally on an interagency basis.

c. Travel, Training, and other Support Costs

Support costs for travel, training, and related position expenditures will be limited to a reasonable and prudent level, as determined by NIFC. Travel and training costs associated with developing and attending National Wildfire Coordinating Group’s (NWCG) certified prescribed fire curriculum, other prescribed and wildland fire, fuels management, and associated training necessary to fully carry out the fuels program is authorized as support costs for approved fuels positions.

(2) Education Funding

Position or supplemental Blanket Training accounts may be used to cover travel and per diem costs associated with approved education intended for attainment of the OPM positive education requirements for transition IFPM Fuels employees. However, tuition costs to meet OPM positive education requirements are not authorized. Transition employees are defined as those employees who, due to implementation of IFPM, are required to meet OPM positive education requirements prior to October 1, 2010.

For non-transition employees these costs are normally the individual's personal responsibility. Approval of use of HFR funds for non-transition employees will be subject to funding availability and at the discretion of National and Regional Fuels Specialists.

d. Non-Fuels Positions

Actual time accrued by permanent non-fire personnel to develop hazardous fuels project work and project implementation is authorized for base 8 and overtime hours. Permanent full-time personnel hired under the preparedness program can not charge their base 8 to the HFR program. Career seasonal and temporary employees hired in preparedness positions cannot charge their base 8 to the HFR program unless they are working outside the official fire season.

Travel, per diem and other training costs for personnel that are not working in an approved fuels position, may be authorized by Regional Fuels Specialists from the Region's Blanket Training account. See Chapter 1, Section A. 4.a.

2. Projects

Project funding is authorized for treatments and planning activities, including fuels inventory and monitoring, and miscellaneous supplies and equipment that are necessary to complete the project. Funding for these activities must be included as planned direct costs in NFORS. A description of each follows:

a. Treatments

Project funding for hazardous fuels reduction treatments are authorized. Treatments may include prescribed burning, mechanical, chemical, and biological applications. Some examples include: underburns, thins, mastication, lopping, pruning, mowing, piling, and herbicides. See Section A. 5.a. and A 5.b. of this chapter.

b. Project Related Administrative, NEPA and Planning Costs

Administrative, NEPA and planning costs associated with the preparation, implementation and monitoring of a treatment are authorized project costs and should be included as an “planning/administrative activity” in the hazardous fuels portal of NFPORS. See Chapter 3, Section A.

c. Salary

Salaries for seasonal, career seasonal, and temporary personnel who are hired specifically for hazardous fuels reduction project planning and implementation and do not occupy an approved fuels position, are authorized as part of the treatment cost and must be included with planned treatments or activities in NFPORS.

Some agencies and tribes use non-fire permanent positions to assist with project planning and implementation and cover these costs with project funds (soft funds) . This practice is acceptable, but tribes and agencies assume some level of risk if the HFR program is used to supplement staffing, as project funding is not guaranteed from year to year.

Regular overtime (timecode 110) for all personnel (fire and non-fire) permanent or seasonal, who are involved in project implementation is authorized and must be included in the project funding requests. The Premium Pay overtime rate (timecode 113) is not authorized. *Note: current policy does not authorize hazard pay for work on prescribed fires.*

Salary for permanent non-fire personnel temporarily assigned to assist with project planning and implementation is authorized for actual time spent on the project. These costs must be included with planned treatments or activities in NFPORS.

d. ADHiringAuthority

The AD Pay Plan may be used to provide temporary support due to the unpredictable nature of prescribed fire activities. This does not include mechanical or chemical HFR project work. The term of hire may not begin until 24 hours before planned ignition and must be completed 24 hours after the perimeter is secured. Work on prescribed fires is limited to 300 hours per calendar year per person, regardless of agency. It is the hiring unit’s responsibility to monitor prescribed fire hours. This authority may not be used to circumvent normal hiring and contracting procedures.

The AD Pay plan should be consulted annually after each revision to assure the latest direction related to prescribed fire and hiring of Casuals is understood.

e. Travel

Travel expenses for personnel coming from outside their assigned duty stations to assist in the project planning or implementation is an authorized project cost. A travel authorization is required. Include these as part of the planned treatment or activity costs in NFPORS.

f. Miscellaneous Supplies and Equipment

Supplies and equipment that are necessary to implement the project must be included as project costs in NFPORS. Examples include oil, gas, and special safety equipment. Items that become unusable due to normal wear and tear such as saw chains, chaps, goggles, etc. should be included in treatment costs, rather than a Supplemental account. See Chapter 1, Section A. 4 for more information on Supplemental funding.

3. Community Assistance

The focus of community assistance is to develop a collaborative, community-based approach to reduce risks to homes and property through prevention education. Partnerships will involve tribes, agencies, local governments, and community members. Some recent examples of community assistance activities include Risk Assessments, Mitigation Plans, Community Wildfire Protection Plans (CWPP), Prevention and Educational Workshops/Trainings (FIREWISE).

All Community Assistance projects must have a project proposal (see Appendix E) developed by the local unit and submitted to the regional office. The project proposal must contain the objectives of the project, an itemized budget, timeframes, monitoring procedures (if follow-up will be necessary), and desired outcome. The regional office will prioritize the proposals and forward to BIA-NIFC by April 1 each year. BIA-NIFC will review these requests and enter the approved funding requests into NFPORS. Community assistance projects have a greater chance of receiving funding if the project proposal demonstrates cost effectiveness and is competitive with planning costs for other tribes and agencies with similar wildland urban interface issues and complexity.

Community Assistance funds may only be used for those direct costs necessary to implement the project. Community assistance funds are not recurring funds. Current projects and associated costs eligible for Community Assistance funding are listed below:

- **Risk Assessments**
- **Mitigation Plans** (Community Wildfire Protection Plans)
- **Implementation Actions**, including:
 - Community Outreach Events
 - Data collection, coordination, and distribution
 - Home evaluations and assessments
 - Media and public information events
 - Training residents
 - Signing
 - Other (national approval required)
- **Salaries** for those temporary individuals hired to implement the project. This does not include Casuals hired under the AD Pay Plan and those listed below under the unauthorized uses. Individuals employed under these funds fall under the category of Temporary or Term Positions depending on the length of employment.
- **Support:** Expenses necessary for, and directly related to, the support of the project such as printed materials, rentals, leases and non-capitalized items.

The Student Conservation Association Fire Education Program (SCA) falls under the Community Assistance funding. Those units requesting SCA assistance must plan one-year out and complete and forward the request form (Appendix F) to the Regional WUI/Prevention Specialists. The Regions must then forward these requests to NIFC by April 1 of the prior year. BIA-NIFC will consolidate all SCA Fire Education requests and enter one consolidated request in NFPORS. These funds are requested annually through the WUI and Community Assistance portals of NFPORS. SCA program activity includes the use of Fire Ed. Corps and Interns. Funding for SCA is obligated under a national agreement.

Community Assistance funding is available in the WUI Program only; it is non-recurring.

4. Supplemental Funding (“Supplementals”)

Supplemental funding is authorized for support actions, blanket training, indirect costs, costs associated with programmatic compliance planning, capitalized equipment and supplies needed to support multiple projects, strategic-level monitoring and monitoring resources deployed across multiple reservations.

a. Blanket Training

BIA-NIFC may set up PCAS numbers to establish Blanket Training accounts within each region as requested. The Regional Office must identify the funding needed for blanket training and submit as a supplemental request each year. The account may be used to pay for travel, per diem, and registration of personnel to attend NWCG courses and other prescribed fire and fuels related training and workshops necessary to maintain or acquire prescribed fire qualifications and advance the capability of the program. The use of this account by non-fuels staff should be given priority over those occupying fuels positions. Staff occupying approved fuels positions are responsible to plan adequate support costs in their position funding to cover annual training needs.

Students that attend the Prescribed Fire Training Center (PFTC) or the Fire Use Training Academy (FUTA) may charge their overtime to this account. Attendance at either PFTC or FUTA requires regional office approval.

b. Support Actions

Expenses for assistance to other federal agencies in support of prescribed fire operations may be authorized. See Chapter 1. C for procedures and guidelines.

c. National Support Actions

BIA-NIFC will set up a national PCAS number to facilitate National program staff assistance in planning and implementation of prescribed fire and mechanical treatments at the local level. Overtime charges are authorized for prescribed fire implementation only. Travel and per diem expenses are the responsibility of the employee's base program. Overtime, travel and per diem are authorized when planning assistance, e.g., burn plan preparation and other project planning activity, is provided. Preapproval by the Associate Director or Deputy, Fire Use and Fuels, is required.

d. Indirect Costs (IDC)

The Deputy Commissioner of Indian Affairs' April 6, 2001 memorandum addressing guidelines for tribally operated wildland fire management programs authorizes indirect costs for hazardous fuel reduction, wildland urban interface projects and approved fuels positions.

Regional rollups for indirect costs will be funded as supplementals. Planned costs for each program should be based on current tribal IDC

rates and **not** adjusted for prior year national caps.

A cap on IDC will be determined early in the FY after an appropriations act is signed. NIFC will set the cap based on the rate established by other Bureau programs and/or other fire management budget constraints. The Director will announce the “Cap” using the most appropriate media (memoranda or email). The Regions will redistribute this information accordingly.

e. Equipment and Supplies

Purchase of capitalized equipment needed for the average annual workload that cannot be economically contracted (leased, rented, etc.) is authorized. Capitalized equipment is defined as having an acquisition cost equal to or greater than \$5,000 or identified on a BIA listing of capitalized equipment. Procurement of capitalized equipment requires prior authorization from BIA-NIFC. See the Supplemental Funding Request procedures in Appendix D for more information.

Replacement or repair of capitalized equipment that is worn, damaged or destroyed on fuels projects is authorized. Replacement of capitalized equipment requires a board of survey action on equipment destroyed.

Costs of supplies and office equipment for permanent fuels management personnel must be included in the support costs requested for position funding.

Costs of supplies to support multiple project development and implementation are authorized. These generally occur at regions that can manage a regional supply cache.

f. Regional Costs for NEPA and Compliance

NEPA and compliance costs may be requested in a regional “supplemental” when it is most efficient to accomplish this work in a regional or zone environment for the benefit of several tribes and/or agencies. BIA-NIFC will have final approval for all regional supplementals.

g. Strategic-Level Monitoring and Monitoring Across Multiple Units

Costs for monitoring of fuels management plan objectives or fire management plan objectives related to fuels can be requested with a supplemental. Requests for this funding will only be considered for those programs with a written and approved fuels management plan or fire

management plan with fuels components.

Strategic-level monitoring programs funded through this method require an annual monitoring summary as detailed in the BIA Fuels Management Program Supplemental to the Interagency Prescribed Fire Planning and Implementation Procedures Reference Guide (herein referenced as the BIA Fuels Guide).

B. Contracting

The Bureau of Indian Affairs and tribes have a unique ability to achieve the Secretary's 50% contracting goal³. All funding for projects and activities performed by PL-638 contract and compact tribes counts towards this goal. In addition, third party contracts should be used when practical. Examples include use of tribal and non-tribal personnel and equipment contractors, contract aircraft use on fuels projects, and use of non-profit organizations.

1. Bureau Open Market Contracting

The Bureau may contract all or part of a prescribed fire or mechanical fuels treatment. Standard contracting 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 for fuels treatment planning and/or implementation shall adhere to all planning and implementation requirements outlined in this handbook and the Interagency Prescribed Fire Planning and Implementation Procedures Reference Guide (herein referred to as the Interagency Guide). This includes the qualifications, experience, and fitness standards when a contractor conducts a prescribed fire.

By definition a contractor is not supervised by BIA personnel. The contractor is fulfilling the terms of the contract and is responsible only to the contracting officer or designated representative. This concept is valid whether the contractor is executing a full service fuels treatment contract or assisting the BIA in the execution of a project, e.g., providing holding and/or mop up services.

The Contracting Officer Technical Representative (COTR), overseeing the contractor, should have knowledge of fuel treatment activities.

³ Refer to the Secretary's January 14, 2003 Memorandum, FY 2004 Fuels Treatment Program Priorities

C. Support Action Assistance

Reintroduction of fire on a landscape scale will require cooperation and assistance by all agencies involved. The BIA will use Support Action accounts to facilitate and eliminate barriers in sharing agency resources and personnel with other federal agencies in support of prescribed fire operations. The following section outlines the procedures for support action funding. Note: This does not apply to "base 8" expenses for fire suppression and fuels personnel. This cost will remain an expense of the sending unit.

1. BIA/Tribe

All expenses for assistance to other BIA agencies or tribes for project work will be charged to the appropriate PCAS number of the requesting agency/tribe. Do not charge these expenses to a Support Action account. Arrangements should be made by the requesting agency/tribe to provide as many prepaid services as possible, such as travel, lodging, food, and fuel by covering these items on blanket purchase orders, credit card, or other appropriate means. The sending unit will need to ensure their expenses are available to the requesting unit for project cost documentation.

2. Other Federal Agencies

The "Interagency Agreement for Fire Management Between the Bureau of Land Management, Bureau of Indian Affairs, National Park Service, Fish and Wildlife Service of the United States Department of Interior and the Forest Service of the United States Department of Agriculture" provides a basis for cooperation between the agencies and facilitates the exchange of personnel, equipment, supplies, services, and funds. Section VI.A.7 of the Agreement provides departmental protocol relating to interagency assistance (use of support action funds) on prescribed fires. This agreement expires September 30, 2008. The agreement's guidance concerning cross billing and interagency assist accounts is controversial and has been ignored by some agencies in the past few years. New guidance will be issued in FY 2009. In the interim the following business practice will be used:

Cross-billing between the Forest Service and the DOI agencies is discouraged, but may be warranted under certain circumstances. Should billing be necessary, a separate agreement for each instance or agency of assistance is required. No administrative charges will be assessed by either party. Regions may establish hazardous fuels assist accounts (regional Support Action accounts) to facilitate collaboration between DOI Bureaus only.

Regions may request NIFC to establish a Support Action PCAS number annually; these numbers are not automatically generated. All expenses incurred in support to another DOI Bureau will be charged to the respective Regional Office's Support Action accounts. Each field location will use the Support Action PCAS number of their respective Region regardless of the location of the assignment. Arrangements may be made by the requesting office to provide prepaid services, such as travel, lodging, food, and fuel.

Each Regional Office should track fiscal year support action expenses, by federal agency assisted. Tracking this cost by each Interior agency will allow annual adjustments between national program funds, as necessary, at the end of each fiscal year. The Regional Office should notify BIA-NIFC when these support action expenses are approaching their authorized amount and request additional funding as needed.

The use of AD Hiring Authority for support actions is limited. See Chapter 2 Section A. 2.d.

D. Administratively Determined (AD) Emergency Fire Fighter Use

The AD pay plan authorizes and provides specific direction relative to the hiring of Emergency Workers. The plan, which is approved by the Secretary of the Interior, is updated and issued annually. Refer to the current year, AD Pay Plan for Emergency Workers for specific information and detail.

A review of any future AD Pay Plan must be conducted to ensure the authority to hire AD personnel for prescribed fire projects still exists. The use of AD personnel for prescribed fire projects must cease at such time the authority is not provided for in the current AD Pay Plan.

AD hiring authorities apply to the federal government only and cannot be used by tribes. If a tribe wishes to use Emergency Firefighters in the implementation of a prescribed fire, corresponding funds must be held by the sponsoring BIA agency to cover associated payroll costs.

Procedures for AD use are as follows:

1. BIA/Tribal Projects

AD personnel may be ordered and used to assist in the implementation of BIA and tribal prescribed fire projects. AD personnel costs will be charged to the appropriate project PCAS number of the requesting agency. The benefiting agency is responsible to hire the Casual.

2. DOI Bureaus

The 2008 AD Pay Plan restricts hiring Casuals for prescribed fire implementation. Casuals should not be hired for prescribe fire projects conducted by other agencies. The benefiting agency is responsible to hire the casual. Future AD Pay Plan revisions may change this policy.

3. US Forest Service

The Forest Service AD Pay Plan does not authorize hiring of Casuals.

E. Indian Hotshot Crews used for Prescribed Fire Support

BIA Interagency Hotshot Crews (IHC) may be used to assist with prescribed fire implementation. Their use is encouraged to provide additional expertise, fill critical positions, and extend employment outside their official fire season. The entire crew, or a portion thereof, may be ordered for an assignment.

If a BIA sponsored IHC is supporting another BIA agency or tribe, the hosting agency must pay all associated costs including the crew's base 8, overtime, travel, and per diem out of project funds. Use of an IHC requires advanced planning and budgeting.

If the crew is utilized by other DOI federal agencies, expenses related to IHC assistance should be charged to the regional Support Action account. Any use of AD employees will be subject to guidance contained in the AD Pay Plan.

If an Agency requests a tribal IHC for assistance, or a BIA sponsored IHC is requested by a tribe, a reimbursable agreements must be established.

F. Non-Authorized Program Expenditures

WUI and Non-WUI Program funding for projects or community assistance cannot be used for:

- Treatment or maintenance of live and dead fuels on urban lots that are not part of a larger WUI project.
- Vegetative type conversions where the principal purpose is for commodity production, e.g. forest clearing for agriculture or range purposes.

- Annual maintenance of landscaping, transportation corridors, irrigation ditches, and right-of-ways unless the maintenance burn is a management action in an approved land, forest, fire, or fuels management plan.
- Regular planned salaries (“base 8”) for all fire management personnel, permanents, temporaries, career seasonal and seasonal personnel who are hired in the preparedness program. However, career seasonal and seasonal employee appointments may be extended outside the fire season with HFR program funding when dedicated to fuels projects or community assistance activities, regardless of the original purpose of hire.
- Any approved full-time permanent fuels program positions (excluding positions funded through projects).
- All managerial oversight that is normally funded through general administrative or non-fire program management funds.
- Purchase of equipment or supplies that will be used by contractors for the treatment or extraction of hazardous fuels.
- Purchase of equipment that will be used to supplement or perform fuels reduction treatments in which stumpage or revenue is realized from the sale of forest products or other biomass.
- Purchase of equipment that could supplement the preparedness program including items such as slip-on tanks, dozers, etc.
- Meals for project implementation unless authorized under a travel authorization.
- Base 8 salary to train personnel other than those occupying an approved HFR fuels position or a furlough, seasonal, career seasonal or temporary employee hired specifically for hazardous fuels reduction project planning and implementation.
- Rehab or soil stabilization work that is not identified in the prescribed fire or mechanical treatment implementation plan.
- Construction of buildings, parking garages, improvements to land and other facilities. This does not include small shelters or sheds to store hazardous materials and equipment exclusively used in the HFR program.
- Drug testing expenses for fuels personnel that are hired under the preparedness program at anytime during the FY.
- Use of Emergency Equipment Rental Agreements (EERA) in fuels project implementation. The use of contractor equipment may be used and is encouraged but other procurement means are required.

Chapter 3 -- Procedures for Requesting Fuels Management Funds

Procedures to request funding depend on the database system used by BIA-NIFC to track and monitor funding request. There are two databases used, NFPORS and the “National Fuels Database” (an Access database) maintained by the Fire Use and Fuels Section. All funding requests and NFPORS data entry for projects, positions, Supplementals, and Community Assistance are due by May 1st of the preceding fiscal year. Refer to the Assistant Secretary’s January 14, 2003 Memorandum.

The procedures outlined below are those required by BIA-NIFC. Each Regional Office may have additional requirements and/or other time frames that must be met prior to the Regional Office forwarding a request to the BIA-NIFC. The procedures to request funding and database requirements follow:

A. NFPORS

NFPORS will be used to report WUI and Non-WUI Hazardous Fuels Project and Treatments and WUI Community Assistance activities. Project, activities, treatment units and treatments are required for every NFPORS entry. The required information will be entered into the appropriate module.

May 1 is the annual deadline for submission of one-year out planning, treatment and community assistance planning request and associated information.

1. WUI and Non-WUI Project Funding Requests

The Hazardous Fuels Portal of NFPORS will be used to enter HFR project and treatment information. BIA-NIFC, with assistance from the Regions, will compile project information from NFPORS. Regions will approve projects based on established priorities (see Chapter 1) using the prior year pre-EMDS budget as a baseline budget. BIA-NIFC will assign PCAS numbers and distribute funding to the Regions

2. Administrative, NEPA and Compliance

Administrative, NEPA and planning costs associated with the preparation, implementation and monitoring of a project or treatment must be included as an “planning/administrative activity” in the Hazardous Fuels Portal of NFPORS. Examples include contract preparation, contract administration, categorical exclusions, environmental assessments, burn plan preparation, SHPO consultation, and tribal consultation.

3. WUI Community Assistance

The Community Assistance Module of NFPORS will be used to enter and track all planning and fiscal information for activities described in Chapter 2, Section A.3. To request Community Assistance funding, field units will submit their completed project request forms to the Regional Office. The Region will prioritize requests and submit the highest priorities into NFPORS and forward copies to BIA-NIFC. BIA-NIFC will review and approve the proposals based on the availability of funding and program compliance. BIA-NIFC will assign PCAS numbers and distribute funding to the Regions. For procedures to request an SCA Fire Education Crew see BIA Wildfire Prevention Handbook (90IAM 1.4C (6)-H)

B. National Fuels Database

The “National Fuels Database” is an Access database file established and maintained by the Fire Use and Fuels Section at BIA-NIFC. It is used to enter, track, and monitor funding and accounting information for Approved Fuels Positions and Supplementals.

1. Funding for Established WUI and Non-WUI Fuels Positions

Planned funding request for fuels positions is typically initiated by April 1 each year. BIA-NIFC will send fuels position accounting information (typically an Excel Spreadsheet) to the Regions for review and update. The Region’s reply is due by May 1 of each year. BIA-NIFC will assign PCAS numbers and distribute funds at the beginning of each Fiscal Year.

2. Funding for New Positions

Any request for new positions in this program must be submitted for approval to BIA-NIFC. A memorandum from the Regional Director describing a need and justification for the position is required. In addition, the memorandum must include the position title, location, grade and step, pay period totals, EBC, support costs and duties of the position.

3. Supplemental Funding Requests

The National Fuels Database will be used to enter and track all requests for Supplemental Funds. Authorized expenditure of Supplemental funding is explained in Chapter 2, Section A. 4.

Supplementals are initiated with position requests in April of each year. The template mentioned above also contains a page for Supplementals. BIA-NIFC

and the Regions will approve Supplementals based on priority and availability of funds.

Agencies and tribes must use the “Hazardous Fuels Reduction Program Supplemental Funding Request Procedures” format located in Appendix D. BIA-NIFC or the Regional Office may require a cost comparison analysis for capitalized equipment purchases. The analysis must illustrate and justify the economic benefit of using purchased equipment over leased equipment and other alternatives for treating fuels. Examples can be obtained from the Regions or BIA-NIFC.

C. Monitoring

Monitoring the response of vegetation and other environmental variables allows us to understand the consequences of fire on important ecosystem components and adjust future planning and implementation to obtain desired results. All monitoring will be in accordance with the requirements identified in the BIA Fuels Guide—refer to Chapter 7 of this Guide for additional guidance.

The BIA Fire Ecology and Monitoring Program includes both project-level and strategic-level monitoring; each type of monitoring has specific requirements for funding proposals, expenditure limitations and reporting procedures. Monitoring of individual projects on a single reservation should be funded through the NFPORS activity funding process (see below). Strategic-level monitoring (monitoring for the purpose of assessing whether fuels management is achieving local land and fire management objectives) must be funded through a supplemental request. See the previous section for additional direction.

1. Project-Level Monitoring

The primary purpose of fire behavior and effects monitoring funded by fuels projects must be to determine whether the treatments are meeting project objectives. Project-level monitoring is required for all prescribed fire and mechanical fuel treatment projects. Projects receiving funds for monitoring must include a section on monitoring in the project plan. Prescribed fire plans at a minimum must meet the monitoring criteria established by the Interagency Guide; mechanical and other non-fire treatments at a minimum must meet the monitoring criteria established by the BIA Fuels Guide.

Allowable charges to individual projects may include costs associated with the implementation of all four phases of fuel treatment monitoring as described in Chapter 7 – Monitoring, in the BIA Fuels Guide.

Partnerships and cost sharing among the resource disciplines should be considered for long range (Phase 4) monitoring when appropriate.

a. Funding Proposals

Funding for all project-level monitoring will be requested annually. Project-level monitoring may be funded in one of two ways:

(1) NFPORS Activity

The preferred method of funding project-level monitoring is by including the costs of monitoring in the project as an “ACTIVITY” in NFPORS. These costs may then be applied to the costs of local fuels staff to perform the monitoring. Alternatively, the monitoring costs of multiple projects may be combined to fund a dedicated local crew to perform all project-level monitoring for the individual projects on a single reservation. See Chapter 4, Section A for NFPORS funding procedures.

(2) Regional NFPORS Project

An alternative but less favored method of funding project-level monitoring is to fund a regional fire effects monitoring crew to cover project-level monitoring on multiple reservations or agencies. This method would be funded by a regional entry for a separate “PROJECT” in NFPORS; see Chapter 4, Section A for NFPORS funding procedures.

To enter monitoring activities in NFPORS the following procedure must be followed:

1. Create a new activity under the “Project” or use the existing project for the treatment being monitored.
2. In the “Activity Name” field include the term “treatment monitoring” in the activity name.
3. Under “Activity Category” select “administration”.
4. Select “monitoring” as the “Activity Type.”

Monitoring activities that span multiple agencies/tribes will be requested by creating a Regional “Project(s)” with associated monitoring activity(ies) in accordance with the above instructions.

b. Expenditure Limitations

Project-level monitoring costs should be limited to a reasonable and justifiable amount based on the project cost and acreage, vegetation type and monitoring objectives.

2. Strategic-Level Monitoring**a. Funding Proposals**

Funding for strategic-level monitoring is contingent upon the establishment of a written Strategic Monitoring Plan as described in Chapter 7 of the BIA Fuels Guide.

Strategic-level monitoring may be funded in one of two ways:

(1) SCA Fire Monitoring Crews

SCA fire monitoring crews are funded by a national office supplemental. Student Conservation Association fire monitoring crews are hired, administered, trained and supervised by the SCA leaders; local units provide daily direction and some additional training. Proposals for an SCA monitoring crew are submitted to the Regional Fire Ecologist by the established date. The format for the proposal is found in Appendix E. The proposal must be accompanied by a current version of the strategic monitoring plan for the local unit, unless a current version is already on file at the regional office. The proposals are recommended and prioritized by the Zone Fire Ecologist and Regional Fuels Specialists before submission to the national office Fire Ecologist by April 15 of the preceding year (i.e. proposals for FY 09 are submitted by April 1, 2008). The proposals are reviewed and approved by the national office Fire Ecologist.

(2) Other Monitoring Crews

Force account or contract crews may be hired to perform strategic-level monitoring activities. Proposals for funding follow the procedures for "Supplemental Requests" in Section B.3 of this chapter, using the template provided. Regionally-based strategic monitoring crews may also be funded through this process.

b. Expenditure Limitations

Supplementals for strategic-level monitoring totaling more than 5% of the tribe's/agency's/region's combined fuels project costs will require a justification approved by the national office.

3. Continuous Forest Inventory

Continuous Forest Inventory (CFI) is a program separate from the Fire Effects Monitoring program and is administered by the BIA's Branch of Forest Resource Planning (BoFRP). Opportunities exist for cooperative and complimentary efforts between CFI and fire effects monitoring; however, funding by the Fuels Program for monitoring CFI plots is limited in its application to those projects that incorporate a documented strategy to tie CFI data or additional data collected during the CFI to measurement of fuel management objectives. These monitoring projects will be funded through the "Supplemental" process.

D. Unobligated Funds

Agencies are responsible to minimize or eliminate any unobligated balance of funds at the end of the FY. Some amount of carryover is inevitable. Typically those funds are used by the DOI to support projects at the start of a new FY (see "Critical Needs" below).

Agencies must plan to avoid excessive carryover, especially when project funding is involved. The following strategies should be used:

- Enter planned accomplishment into NFPORS that have a high probability for accomplishment, thus eliminating the need to shuffle unobligated balances during or near the end of each FY.
- Plan multi-year projects to avoid large unobligated balances at the end of a FY. This is to avoid one large project having several treatments to complete within one year. Continuing multi-year projects are likely to receive higher priority for funding than a new project submitted in the same FY.
- Evaluate treatment objectives on projects nearing completion before requesting additional funds in the next FY. It is not necessary that every acre be treated to effectively reduce hazards. If this is the case, then the project may be designated as complete in NFPORS without 100% of the acres accomplished.

E. Critical Needs

Critical Need requests are initiated in September. BIA-NIFC will issue instructions each year. A critical need is a high priority project or activity ready for implementation and requires immediate funding at the start of the FY before appropriations bills are signed. Regions are responsible for generating the critical needs list and submitting to BIA-NIFC by October 1. NIFC will distribute funds based on availability of funds, national and regional priorities. Priorities (in order of importance) are: projects, supplementals, and community assistance. Critical Needs generally cover three months of project needs but will continue under continuing resolutions until an appropriations bill is passed.

F. P.L. 638 Contract Tribes

Tribes have the ability to assume a portion or all of the fuels management activities through P.L.93-638 contracts or compact of the entire BIA program. A 638 contract or compact does not affect the distribution of HFR Programs. Unless requested otherwise, all funding is suballotted to the Region and then placed in an agreement for use by the tribal programs.

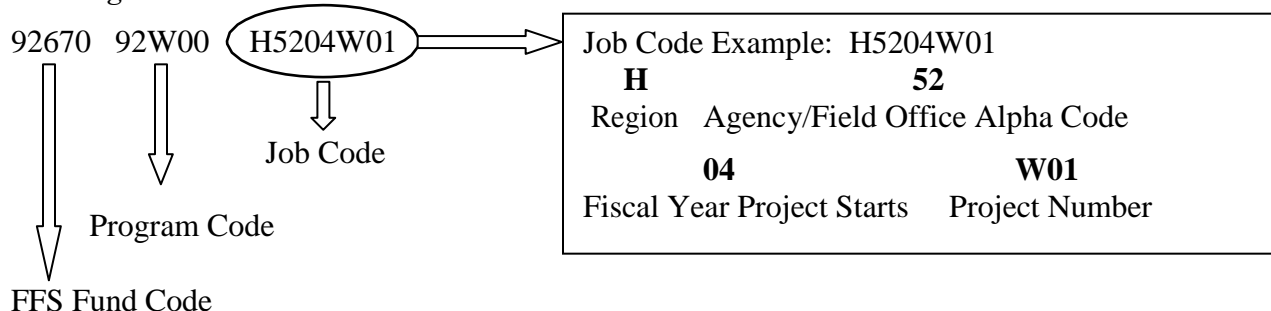
Coordination between the tribe and agency is required on tribal fuels projects when agency resources are required to perform a portion of the work. The total estimated costs of the agency's involvement must be predetermined and withheld in a separate project account at the Region or Agency

There is no mechanism for a Tribe to pay the BIA once the funding is obligated to a contract. The retrocession process is complex and time consuming. There is no assurance that the funding retrieved through retrocession will be available in the current FY.

Indirect costs (IDC) for HFR positions and projects are authorized. IDC will no longer be included in the project, community assistance and position funding requests. IDC is to be estimated and totaled for the region under the WUI and Non-WUI programs, then submitted as a Supplemental funding request. See Section B. 3 of this chapter for details on supplemental funding requests.

G. Federal Financial System Project (PCAS) Number

All charges and obligations to the Fuels Management Program must be made to a special project job number. BIA-NIFC, upon request by a Regional Office, executes Job (PCAS) numbers. The following illustrations show the process used to establish WUI and Non-WUI PCAS numbers. A typical FFS cost accounting string looks like this:



The following table identifies the FFS Fund Code and Program Code used for each program and references the section in this Handbook that defines activities covered in these programs:

Program	FFS Fund Code	Program Code	Covered Activities
WUI	92670	92W00	Re: Chapter 1, Section C. 1
Non-WUI	92600	92630	Re: Chapter 1, Section C. 2

All PCAS number job codes are established under the following parameters:

- Positions will have a “P” following the two-digit fiscal year (for example: H5207P99)
- Supplementals will have an “S” following the two-digit fiscal year (for example: A0007S99)
- Community Assistance will have a “C” following the two-digit fiscal year (for example: B0507C99)
- All WUI Project funds will be combined into one account by location. A “W01” following the two-digit fiscal year indicates the WUI Combined account (for example: G1007W01).
- All Non-WUI Project funds will be combined by location. A “N01” following the two-digit fiscal year indicates the Non-WUI Combined account (for example: F5207N01).

The PCAS number is assigned by BIA-NIFC after planned projects and activities are approved.

Chapter 4 -- Accounting Procedures

A. Project Reporting – NFPORS & BIA FORS

Monies spent and results achieved in this program are closely monitored, from within and outside the Departments. The Wildland Fire Leadership Council has established NFPORS as the required interagency system to assist program staff in managing and reporting accomplishments for work conducted under the National Fire Plan. NFPORS is the national interagency standard for planning and accomplishment reporting for hazardous fuels treatment and community assistance. Projects (including treatments, planning and community assistance activities) are approved in the system and used to establish an annual HFR Program Plan of Work. Accurate accomplishment reporting is necessary to track program success and generate GPRA reports.

Separate data for prescribed fire and wildland fire use is also reported on an individual Fire Report in BIA FORS. This is not duplicate data. Each system is used independently and compliments the other.

1. Allowable NFPORS Acreage Accounting

In addition to approved projects conducted on eligible lands described in Chapter 1, Section C. 1.c, the following conditions will be used to determine eligible acreage accomplished on trust acres:

- **Cost Share with other National Fire Plan (NFP) Funds:** If HFR funds are commingled with funds contributed from another National Fire Plan source (USFS, BLM, NPS, FWS, State Forestry) you should report the agency's fair or prorated share of the acres funded only (i.e. you report only the treatment acres you actually paid for).
- **Cost Share with Non-NFP programs:** If BIA HFR funds are commingled with funds contributed from a non-NFP source (NRCS, USGS, NGO, forest development, forest health protection, woodlands, or timber sales), and BIA HFR funds comprise a "reasonable" contribution to the overall treatment costs, you should report the total treatment acres accomplished.
- **Non-NFP Funds only:** If no BIA HFR funds are utilized and treatments are entirely funded from a non-NFP source you should report the total acres accomplished as "Non-NFP"

- **Planned Treatments Burned in a Wildfire:** Acres burned in a wildfire may only be reported in NFPORS as prescribed fire accomplishment if: the area burned was in a pre-existing NFPORS treatment unit; formal planning of treatments (i.e. NEPA, Prescribed Fire Plan) had been initiated; planned resource objectives were met; and the claim is approved by a Regional Fuels Specialist.
- **Acres Burned Prior to Escape:** All acres treated under prescription may be reported prior to declaration of a prescribed escaped fire if the wildfire did not prevent objectives from being met in the area treated under prescription.

For those agencies and/or tribes reporting wildland fire use acres, the following condition must be met:

- **Wildland Fire Use:** Acres burned in a wildland fire may only be reported as a fire use treatment if the unit has an approved Fire Management Plan allowing Wildland Fire Use, and the fire was managed as a Wildland Fire Use incident with an approved Wildland Fire Implementation Plan (WFIP). Limited suppression or confinement fire acres may not be counted as fire use accomplishments.

B. Monitoring Summaries and Documentation

1. Project-Level Reporting and Documentation

At this time, NFPORS does not have the specific capability to track acres monitored, the assumption being that ALL acres treated are monitored. The “Management Objective Tool” (MOT) in NFPORS [February 14, 2007] now requires that project managers answer basic questions about whether the treatment met management objectives. Agency/tribal fuels staff will document all project-level monitoring in project files. This documentation must support the MOT responses.

2. Strategic-Level Reporting and Documentation

Strategic monitoring projects must submit a final report to the national office by January 31 of the year following the project (i.e., FY 08 projects must submit a report by January 31, 2009). Guidance for the final report is found in Chapter 7 of the BIA Fuels Guide.

Data generated by the monitoring project must comply with data management requirements in Chapter 7 of the BIA Fuels Guide as well as any other requirements stipulated in the local strategic monitoring plan.

C. Community Wildfire Protection Plans (and/or equivalent documents)

All completed Community Wildfire Protection Plans (CWPP) and those documents described as equivalent to a CWPP should be entered into the Community Assistance portal of NFPORS under the Fire Mitigation Plan section. This may include any and/or all wildfire prevention plans completed which meet the requirements of a CWPP. For a complete description of the reporting process and requirements see the BIA Wildfire Prevention Handbook (90IAM 1.4C (6)-H).

D. Prescribed Fire Reporting

The Bureau of Indian Affairs (BIA) Fire Occurrence Reporting System (FORS) is the collection of fire reporting policies, guidelines and instructions; standardized report elements and data definitions; report forms and templates; archived hard-copy documents; corporate computer database; and statistical summaries and other outputs derived from such data. While the computer database, the Wildland Fire Management Information (WFMI) System is an integral component, it is not synonymous with FORS. FORS is the acronym used to describe all of the elements comprising BIA's fire occurrence reporting business.

Given the uses described above, an Individual Fire Report (DI-1202) should be created for every prescribed fire and entered into the BIA FORS. See the BIA Fire Occurrence Reporting System User's Guide for reporting requirements and instructions.

Note that prescribed fires associated with hazardous fuels reduction must be reported in both BIA FORS and NFPORS.

E. Spatial Information Tracking

A spatial tracking system to record fuels treatment history is required for each agency/tribe where Fuels Program funds are expended for fuels projects. The treatment history should, at a minimum, identify the location and boundary of each prescribed fire and/or mechanical fuels treatment project, the year completed, and the name and PCAS number for the project. It is strongly recommended that perimeters be uploaded into NFPORS. This information would most efficiently be stored and maintained digitally on a Geographic Information System (GIS). A hard copy, permanent base map system may be maintained for locations that do not have access to GIS. The spatial information should be recorded on a map scale that allows sufficient detail to be identified and recorded. Example: 1:24,000 map scale.

F. Program Oversight and Review

Program oversight and review is required to ensure continued program growth and development, conformance to established policy, guidelines and procedures, determination of deficiencies, provisions for corrective actions, and identification of commendable actions that may be shared with others. Program oversight and review responsibility resides at the unit, regional, and national levels.

It is the responsibility of each Regional Office to oversee the use of the HFR Program within their jurisdiction. They shall review program use to assure fiscal accountability and compliance with policy and guidelines. This also includes verification that funding requests comply with annual Interior Appropriation Acts and guidelines established in this document.

Agency and tribal fuel reduction programs and projects will be subject to regional and national level site visits and reviews. As budget and workload allows, BIA-NIFC will conduct site visits and reviews of regional office fuels programs to document program success and assist as needed to improve program performance.

Appendices

Appendix A: Glossary

Appendix B: WUI and Non-WUI Fuels Reduction Program Funding Use Criteria for
Activity and Non-Activity Fuels

Appendix C: Sample Cooperative Agreement

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Appendix E: Community Assistance Project Proposal Form

Appendix F: SCA Monitoring Crew Request

Appendix G: Fuels Toolbox Intranet Items

Appendix A: Glossary

Condition Class: Depiction of the degree of departure from historical fire regimes, possibly resulting in alterations of key ecosystem components. These classes categorize and describe vegetation composition and structure conditions that currently exist inside the Fire Regime Groups. Based on coarse scale national data, they serve as generalized wildfire rankings. The risk of loss of key ecosystem components from wildfires increases from Condition Class 1 (lowest risk) to Condition Class 3 (highest risk). Condition Classes measure general wildfire risk as follows:

Condition Class 1 - For the most part, fire regimes in this Fire Regime Condition Class are within historical ranges. Vegetation composition and structure are intact. Thus, the risk of losing key ecosystem components from the occurrence of fire remains relatively low.

Condition Class 2 - Fire regimes on these lands have been moderately altered from their historical range by either increased or decreased fire frequency. A moderate risk of losing key ecosystem components has been identified on these lands.

Condition Class 3 - Fire regimes on these lands have been significantly altered from their historical return interval. The risk of losing key ecosystem components from fire is high. Fire frequencies have departed from historical ranges by multiple return intervals. Vegetation composition, structure and diversity have been significantly altered. Consequently, these lands verge on the greatest risk of ecological collapse.

Fire Regime: Description of the patterns of fire occurrences, frequency, size, severity, and sometimes vegetation and fire effects as well, in a given area or ecosystem. A fire regime is a generalization based on fire histories at individual sites. Fire regimes can often be described as cycles because some parts of the histories usually get repeated, and the repetitions can be counted and measured, such as fire return interval.

Five combinations of fire frequency, expressed as fire return interval in fire severity, are defined:

Groups I and II include fire return intervals in the 0 - 35 year range. Group I includes ponderosa pine, other long needle pine species, and dry site Douglas fir. Group II includes the drier includes the drier grassland types, tall grass prairie, and some Pacific chaparral ecosystems.

Groups III and IV include fire return intervals in the 35-100+ year range. Group III includes interior the mixed fire regime including wet Douglas fir habitat types, woodlands, Bosque, and dry site shrub communities such as sagebrush and chaparral ecosystems. Group IV includes lodgepole pine and jack pine.

Group V is the long interval (infrequent), stand replacement fire regime and includes temperate rain forest, boreal forest, and high elevation conifer species.

Firebreaks: A natural or constructed barrier used to stop or check fires that may occur, or to provide a control line from which to work. Firebreak construction or maintenance cannot be funded from the hazard fuels reduction program when they are stand-alone projects. Stand-alone firebreak projects must be funded from the Preparedness account and/or other funding sources.

The construction of firebreaks in conjunction with some other hazard fuels reduction project can be funded. An example would be initially constructing the firebreak as a control line for a prescribed fire.

Fuelbreaks: A natural or manmade change in fuel characteristics, which affects fire behavior so that fires burning into them can be more readily controlled. Fuelbreaks may be located in the forest, woodland, grass or shrub areas. Fuelbreaks are strategically located linear areas next to communities and others Values at Risk. **Note:** The objective of fuel breaks and WUI treatments is to provide a safer more defensible space for firefighting personnel to build and hold a control line. It is not the objective of these treatments to construct areas of sufficient width to stop a running fire without support action. Treatments will be designed with specifications that meet the objective. *As a general rule these treatments should be no wider than three times the height of the vegetation at maturity given that slope and other factors may require some modification to meet the objective.*

Mechanical Treatments: The use of manpower with tools or equipment to remove or rearrange live or dead fuels. A mechanical treatment may be a stand-alone project or in preparation for a prescribed fire treatment. The application of chemicals to kill or modify vegetation is considered a mechanical treatment in this context.

Mechanical Wildland Hazard Reduction: Mechanical wildland hazard reduction is the initial use of mechanical treatments required prior to the reintroduction of fire to reduce or break up the continuity of hazardous fuel in wildland areas. Fire will be used to maintain fuel levels after these areas are treated mechanically.

Prescribed Fire: Any fire ignited by management actions to meet specific objectives. A written, approved prescribed fire plan must exist, and NEPA requirements (where applicable) must be met, prior to ignition.

Prescribed fire can be used as a stand-alone tool or combined with mechanical treatments. The use of fire should be a recurring event. Fire use return intervals should be based on ecological processes necessary to sustain functional ecosystems to the degree that operational capabilities allow. Prescribed fire includes:

- Understory Burning - prescribed burning under a forest canopy.
- Broadcast Burning – prescribed burning activity where fire is applied generally to most or all of an area within well defined boundaries for reduction of a fuel hazard, as a resource treatment, or both.
Note: Understory and Broadcast burning definitions are not mutually exclusive; an understory burn can also be a broadcast burn, and vice versa.
- Pile Burning - subsequent burning of individual piles resulting from the artificial concentration of fuels into piles.
- Jackpot Burning - burning of scattered, discontinuous concentrations of fuels, usually under a canopy of trees or shrubs.

Appendix B: WUI and Non-WUI Fuels Reduction Program Funding Use Criteria for Activity and Non-Activity Fuels

Activity and Non-Activity Fuels, and Fire Regime and Condition Class are those conditions that exist on site prior to the fuels treatment. Use the following table to determine which Funding Use table applies. Use the hyperlinks to assist you in navigating through each table and back.

Activity Table			
<i>Fuel Category</i>	<i>Fire Regime⁴</i>	<i>Condition Class⁵</i>	<i>Table</i>
<i>Activity Fuels⁶</i>	I, III (excluding PJ, sagebrush & chaparral)	1	A
		2, 3	B
	IV, V	1	C
		2,3	D
<i>Non-Activity Fuels⁷</i>	I, II, III	1	A
		2, 3	E
	IV, V	1	A
		2,3	F

Note: FR II includes southern rough ecosystems; FR III includes Pinyon and Juniper Habitat Types.

Use the following Funding Use tables to determine which Funding Category applies:

⁴ Refer to definitions in the Wildland Fire Management 10-Year Implementation Plan Performance Measure Data Standards, January 28, 2003 and the Healthy Forest Restoration Act, PL 108-148, December 3, 2003.

⁵ Refer to the Assistant Secretary's February 21, 2003 memorandum.

⁶ Activity fuels are generated from silvicultural treatments i.e., regeneration cuts, intermediate cuts, sanitation, salvage, and stocking control. They result from commercial extraction of forest products and cultural treatments (such as thinning) to enhance site productivity for growing of commercial products. Regions may determine the period that activity fuels no longer present a hazard and the area on which they occur is eligible for Non-activity Fuel status. Ten years would be appropriate in most western states.

⁷ Non-activity fuels are fuels not associated with activity listed above. They include natural fuels and fuels created from thinning exclusively for the purpose of ecosystem restoration or hazardous fuels reduction outside a timber sale or permit area.

Table A: Activity Fuels, FR I, CC1; and Non-Activity Fuels, FR I, II, III, IV & V, CC1	<i>If</i>	Go to
1.0 Treatment Type		
1.1	Treated with Rx Fire	Funding Category A
1.2	Treated with Mechanical or Other Methods	2.0
2.0 Fuel Break		
2.1	Treatment is a <i>fuel break</i> ⁸ or <i>Home Ignition Zone (HIZ)</i> ⁹	Funding Category A
2.2	Treatment is not a fuel break or HIZ	Funding Category X
GO BACK TO ACTIVITY TABLE		
Assumptions: 1) activity fuels would not be generated from extraction of commercial forest products in FRI/CC1 and 2) no mechanical treatments are needed in FRI/CC1.		

⁸ Fuel Break is a natural or manmade change in fuel characteristics which affects fire behavior so that fires burning into them can be more readily controlled.

⁹ The area surrounding a home---usually a 100' perimeter---in which fuels have been modified or removed to improve the home's chances of surviving a wildland fire.

Table E: Non-Activity Fuels, FR I, II & III, CC 2 & 3	<i>If</i>	Go to
1.0 Biomass Utilization		
1.1	Biomass utilization will occur	2.0
1.2	Biomass utilization will not occur	Funding Category A
2.0 Stumpage		
2.1	Treatment results in positive return/stumpage	Funding Category X
2.2	Treatment produces no or negative return/stumpage	Funding Category E
GO BACK TO ACTIVITY TABLE		

Table F: Non-Activity Fuels, FR IV & V, CC2 & 3	<i>If</i>	Go to
1.0 Biomass Utilization		
1.1	Biomass utilization will occur	2.0
1.1	Biomass utilization will not occur	3.0
2.0 Stumpage		
2.1	Treatment results in positive stumpage	Funding Category X
2.1	Treatment produces no or negative stumpage	Funding Category E
3.0 Fuel Break		
3.1	Treatment is a fuel break or HIZ	Funding Category A
3.1	Treatment is not a fuel break or HIZ	4.0
4.0 Treatment Type		
4.1	Treated with Rx Fire	Funding Category A
4.1	Treated with Mechanical or Other Methods	Funding Negotiated
GO BACK TO ACTIVITY TABLE		

Funding Table

Funding Category	Planning	Treatment	Monitoring
A	100	100	100
B	100	75	75
C	100	50	50
D	50	50	50
E	Funding may be used to supplement a deficit sale/permit or biomass utilization to a break-even point¹⁰		
Negotiated	Funding negotiated with Regional Offices¹¹		
X	None	None	None
GO BACK TO ACTIVITY TABLE			

The concept of partial funding applied in the table above is based on the potential mix of hazardous and activity fuel treatment objectives. Partial funding would apply to projects where forest development, forest management deductions, pest management, or other funds are available to meet other treatment objectives associated with commercial harvest activities. The percentage caps of 75 and 50 percent are based on intuition only. These percentages are used to encourage treatment in the more non-lethal fire regimes that are moderately to significantly altered from their natural state. A separate accounting of funding used in each cost share should be kept for auditing purposes.

¹⁰ Hazardous Fuels Funding may be used to offset “deficit sales” or treatment activity (including biomass utilization) that produces a negative return. Only those funds required to bring the sale/activity to a break-even point will be approved. A valid timber cruise and appraisal must be prepared and account for all products extracted by the contractor or permittee. The forest products associated with hazardous fuels reduction may be offered in contracts for minimum stumpage rates, which are administratively determined or designated in the Timber Use Policy Statement. If products are advertised and sold at stumpage rates exceeding the minimum standard, the difference from the advertised and bid rate would be subtracted from the total HFR program treatment cost to determine the fair-share contribution of the HFR program. When hazardous fuels are sold as merchantable products, that portion of the volume that would meet the normal merchantability specification will be counted toward the program’s allowable annual cut. When Biomass is used for energy, the HFR program may be used to cost share or fully fund treatments. Any revenue to the tribe from putting energy on to a grid must be adjusted to a green ton basis and deducted from the HFR program’s contribution to the project. If bio-energy is used by the tribal enterprise, housing unit, school or other facility, no deductions are necessary.

¹¹ Negotiated Funding. Fuels Treatments in Fire Regimes IV and V outside the Activity Fuel Category are rare but do occur. The Regional Office will determine the appropriate level of funding based on circumstances surrounding the treatment.

Appendix C: Sample Cooperative Agreement

DRAFT COOPERATIVE AGREEMENT

[Name of Project]

This agreement is entered into by and between the Bureau of Indian Affairs, [Agency/Field Office], United States Department of the Interior (hereafter “BIA”) and [Landowner(s)] (hereafter “Landowner”).

SECTION 1. PURPOSE.

The undersigned parties understand and agree that the purpose of this agreement is to:

- A. Provide for cooperation between the parties for the protection, restoration and enhancement of fish and wildlife habitat and other resources through the implementation of a prescribed burn on private lands located adjacent to certain trust lands managed by the BIA, as provided for by 16 U.S.C. § 1011;
- B. Benefit fish, wildlife and other resources on public land in the watershed, namely [describe project, resources to be benefited and location on public land];
- C. Authorize the BIA to develop and implement a Prescribed Burn Plan on Landowner’s property described in Section II.C.1.

SECTION II. GENERAL PROVISIONS.

A. **Legal authority.** The BIA enters into this agreement with Landowner pursuant to vested legal authority under 16 U.S.C. § 1011 and the Federal Land Policy and Management Act of 1976, as amended, 43 U.S.C. § 1701, *et. seq.*

B. **Lands affected.** The parties have identified the following tracts of trust/restricted and private lands subject to this agreement as follows:

[Example: 1. 800 acres of private land, owned by Landowner and located in Dewey County, Oklahoma, adjacent to the North and East boundaries of the trust land described herein, and more particularly described as:

the S1/2, SW1/4, Section 11, Township 18 North, Range 15 West; the S1/2, SE1/4, Section 11, Township 18 North, Range 15 West; and the NE1/4, Section 14, Township 18 North, Range 15 West.

2. 640 acres of trust land, owned by [Tribe or allotment owners], located in Dewey County, Oklahoma, and more particularly described as:

NW/4, Section 14, Township 18 North, Range 15 West.]

- C. Effective Date and Term of Agreement.** The undersigned parties understand and agree that the effective date of this Agreement is the date of final signature and shall continue until [specified date] or upon completion of the obligations of the parties as set forth herein.
- D. Cancellation of Agreement.** The undersigned parties understand and agree that either party to this agreement, may, for any reason whatsoever, cancel this Agreement by written agreement signed by an authorized official from both parties or upon written notification to the other party of intent to terminate thirty (30) days prior to actual dissolution of the agreement.
- E. Promises and benefits not contained herein.**
1. No representative or agent of the BIA or Landowner has made any representation or promise with respect to this Agreement not contained herein;
 2. In accordance with 31 U.S.C. § 1341, the BIA has not made or authorized an expenditure of any kind or obligated the United States to pay any amount of money under any provision of this agreement, except what is authorized by the terms of this Agreement, fiscal regulations and/or administrative policies of the Department of the Interior, including delegated authority by the Secretary of the Interior through the Bureau of Land Management, pursuant to 16 U.S.C. § 1011; and
 3. In accordance with 18 U.S.C. §§ 431 and 433, no member of Congress or Resident Commissioner shall be admitted to any share or part of this Agreement or to any benefit that may arise there from, unless it is made with a corporation for its general benefit.
- F. Key Personnel.**
- [Names and contact information of BIA personnel, Contracting Officer, Fuel Manager, and Landowner(s).]

SECTION III. OBLIGATIONS OF THE PARTIES.

- A. Private land access.** Landowner shall allow the BIA, its employees, agents and cooperators access to the lands described in Section II.B. for purposes of igniting and managing the prescribed fire on said lands.
- B. Assistance with protection of property.** Landowner shall identify improvements, equipment, livestock, and other property located on said lands that may be impacted by the burn and cooperate in taking reasonable measures to protect such property including the removal of such property.

- C. Environmental compliance.** BIA shall, as appropriate, prepare all documentation and consult appropriate federal and state agencies in accordance with applicable federal and state environmental laws, including, but not limited to the National Environmental Policy Act of 1969, 42 U.S.C. § 4321, *et. seq.*, the Endangered Species Act of 1973, 16 U.S.C. § 1531, *et. seq.*, and the Archeological Resources Protection Act of 1979, 16 U.S.C. § 470aa-470mm.
- D. Development and Implementation of Prescribed Fire Plan.** BIA shall develop an approved Prescribed Fire Plan of action setting forth: (a) the parameters under which the burn will be allowed; (b) the necessary personnel and resources to safely complete the burn; and (c) the contingency plan and steps to be taken if the burn should escape. BIA shall implement the Prescribed Fire Plan at a time when appropriate conditions exist.
- E. Preparation of private lands.** BIA shall provide assistance to the Landowner to blackline his lands in preparation for the prescribed burn and protect property identified in Section III.A.
- F. Notice of prescribed burn.** BIA shall provide a copy of the Prescribed Fire Plan and notice to Landowner at least [X] days prior to igniting the burn.
- G. Costs and personnel.** BIA shall be responsible for the costs of implementing the Prescribed Fire Plan and shall provide [NWCG] qualified personnel to conduct the burn, as well as all logistical support to implement and monitor the burn.
- H. Rehabilitation of affected lands.** If necessary, BIA shall conduct follow-up inspection to ensure the burn has not escaped and to rehabilitate areas designated in the Prescribed Fire Plan.

SECTION IV. LIABILITY AND IMMUNITY.

- A. Liability.** The undersigned parties understand and agree that the BIA and Landowner, their agents, employees and insurers, do not assume any responsibility or liability for actions of the other parties.
- B. Immunity.** Nothing in this Agreement shall be construed as a waiver of the United State's sovereign immunity, not otherwise expressly waived by Act of Congress.

[Dated signatures of Line Officer, BIA, and Landowner(s)]

Appendix D: Supplemental Funding Request Procedures

Funding requests for capitalized equipment or other supplemental funding should be submitted in a format similar to preparedness subsidiary proposals. The request must contain information regarding: activity description, objectives, applicability to fuels funding, evaluation of alternatives, owner's consent (if applicable), implementation schedule, budget, and accomplishment report.

Supplemental Funding Format

(Hazardous Fuels Reduction Program)

I) Activity Description

- A) Provide a narrative description of the proposed activity and the justification for its implementation. A "Supplemental" request is not to be used for prescribed fire or mechanical fuels treatment projects. Examples of "Supplemental" requests would be a consolidated area office training request, aerial ignition or smoke monitoring equipment, etc.

II) Objectives

- A) Describe the activity objectives in measurable terms. Also include a description of how those objectives can be measured upon completion of the activity in order to determine if they have been met.

III) Applicability to Hazardous Fuels Reduction Program Funding

- A) Describe the direct benefits to the fuels program.
- B) Describe the benefits to programs or tribal activities other than the fire management program. Include details of any shared funding or other contributions from other program activities.

IV) Evaluation of Alternatives

- A) List alternative means of meeting objectives including projected costs and reasons for rejecting those alternatives in favor of the proposed plan. Provide a summary of the economic analysis of alternative if completed.

V) Owner's Consent

- A) If the proposed project will have a physically altering impact on Indian owned resources or is politically sensitive, include evidence of their consent (i.e., a tribal resolution or consent of owner in the case of individually owned land.)

VI) Implementation Schedule

- A) Prepare a proposed implementation schedule for each logical step in the project.

VII) Budget

- A) Include an itemized budget reflecting administrative, labor, equipment and materials costs.

VIII) Accomplishment Report

- A) Identify the individual responsible for preparing the post-project accomplishment report, specifically addressing the project objectives and the date by which the report(s) will be prepared and submitted to the Area Office.

Appendix E: Community Assistance Project Proposal Form

Sample Outline for Project Proposal with Required Elements

Agency/Tribe: Any Agency

Local Unit: Any Agency

Local Contact: Anyman Anywhere, 555.555.5555

Regional Contact: Anyman Regionally, 555.555.5556

Type of Request (Risk Assessment, Mitigation Plan, SCA Fire Ed, Tribal Fire Ed Team, Prevention and/or Educational Workshop): 5 Person FEC Team

Priority: (To be used if multiple requests fro a region are submitted) 1 of 5

Duration: 3 Month FEC Team

**Note: (Choose from 3, or 6 Month for SCA FEC Teams)*

Project Description: The Any Agency is located in the central portion of the United States with an abundance of grasslands and some timber resources. Our WUI problem is concentrated around the towns of Anyplace and Anylocation with a scattering of ranching structures along Any Creek. We are hoping to use the SCA team to complete a number of home assessments around these areas, to do a demonstration project to show an appropriate WUI home for our environment, and to distribute information at the AnyPeople Powwow and the 4th of July parade. We also hope to have a completed GIS map with imbedded home assessment information by the end of the second season. We will use the home assessments to help us prioritize our future WUI treatments.

Objectives: Assess 500 homes on the Any Agency and eventually create GIS map. Increase WUI awareness on the Any Agency by attending at least 5 educational opportunities (Powwows, parades, etc.).

**Note: There must be a documentation process in place to show that the objectives met the goals.*

Goal: With the information from the home assessments, we hope to better define our WUI program and use the information to prioritize future WUI fuels treatments. WUI awareness will be increased with visibility of SCA crew on the Any Agency while doing home assessments, attending Powwows, parades, etc.

Projected Length of Project: 2 Seasons; 1st season for data collection with FEC Team, and 2nd season for GIS project for a SCA Individual Placement Intern with GIS background.

Justification: (for Selected SCA-Related Items from Fire Ed. Worksheet: 3 Month Team – should be able to accomplish 500 home assessments within this timeframe; SCA Fire Ed. Training – required by SCA; 6 Month Truck lease – staff leader will need vehicle before and after team leaves; computer, Trimble unit, digital camera printer, cell phone, office supplies, and uniform will all be needed for completion of project (note: computer will likely be most useful next year when we request GIS capabilities). This position will support the WUI/Prevention Specialist and Fuels Specialist in developing maps of fires, communities and tribal ownerships. Integral in this support will be the need for a computer that is capable of GIS, a GPS unit and some form of transportation for field work to verify locations and coordinate with Agency and Regional office personnel.

Budget Proposal: Must include itemized list (if SCA request leave blank)

Submitted By:

Concurred By Regional Fuels Specialist and/or Ecologist:

**Note: If this is a Community Assistance project using Tribal or Agency personnel, the Tribe or Agency is responsible for entering the CA project into NFPORS.*

Appendix F: SCA Crew Request Procedures

The following outline contains the components necessary for requesting a fire effects monitoring crew. Forward completed proposals to your Regional Fuels Specialist by the deadline established by the Fuels Specialist.

IX) Project Location and Contact Information

Include Agency/Tribe; Local Fuels Specialist/Technician/Project Lead Contact & Secondary contact information; and Regional Fuels Specialist Contact information. For traveling teams, list additional contacts for each location.

Please include for each:

- phone and extension
- cell phone
- mailing address
- fax
- email (if available).

X) Activity Description and Objectives

- i. Provide a narrative description of the proposed monitoring project and the justification for its implementation. This should include reference to the host unit's fuels monitoring plan and management objectives for the unit.
- ii. Describe the activity objectives in measurable terms.
 - # of plots expected to be completed in field season
 - Plot locations and ranking of priority areas
 - Type of analysis anticipated

XI) Schedule

Prepare a proposed implementation schedule for the project(s), including start and end dates for personnel, training, travel, and local orientation dates, etc.

XII) Logistics and Special Considerations

Identify any special needs which would be site specific. For example if the request is for a Regional crew, additional travel funding may be necessary to facilitate travel to various locations within the region. Another example would be if the work will involve a spike camp (need of camping equipment). Please indicate number of work days per area.

XIII) Documentation and Data Management

Identify the individual responsible for preparing the post-project documentation and management of data.

XIV) Host site Equipment and Supplies

- i) Identify & list equipment and additional resources for crew. (See SCA Equipment List).

Appendix G: BIA Intranet Fuels Toolbox Items

The following documents can be accessed online via the BIA Intranet:

- The National Fire Plan Strategy documents entitled “A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment: 10-Year Strategy,” in and its associated “Implementation Plan (2002)”
- Update of the 10-Year Strategy Implementation Plan (December, 2006)
- Healthy Forest Initiatives (2002)
- Healthy Forest Restoration Act (2003)
- Tribal Forest Protection Act (2004)
- The updated Cohesive Fuels Treatment Strategy (2006)
- The Wildland Fire Leadership Council (WFLC) approved Field guidance for identifying and prioritizing communities at risk in 2003
- 2007 GAO Report to Congress entitled “Wildland Fire Management - Better Information and a Systematic Process Could Improve Agencies’ Approach to Allocating Fuel Reduction Funds and Selecting Projects”
- Regional Risk Assessment Model and associated metadata
- BIA Hazardous Fuels Treatment Selection Guide
- HFR and Activity Fuels Cost Sharing Guide 03_17_06.pps (PowerPoint Presentation)
- Jan 14th, 2003 Secretary's Memo on Fuels Treatment Program
- 2008 AD Pay Plan