



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, DC 20240

MAY 19 2005



National Policy Memorandum

Bureau of Indian Affairs Director

Number: NPM-TRUS-1

Title: Timber Contract Change to Provision B11.3

Effective: May 18, 2005

Expires: May 18, 2006

1. Purpose

The purpose of this policy is to implement recommendations made by the Mineral Ridge Fire Fatality Management Review Board (MRB) regarding Timber Sale Contract Standard Provisions B11.1 and B11.3. The MRB reviewed recommendations that were made in the Mineral Ridge Fire Serious Accident Investigation (SAI) dated July 13, 2004. The SAI documented the cause and effect of a fire fatality that occurred on that same date on an active timber sale within the Colville Indian Reservation. The fatality involved an employee of the timber sale purchaser responding to a wildland fire.

2. Scope

This policy applies to all timber sale contracts being administered on Indian forest lands.

3. Policy

First, Regional Directors and Agency Superintendents are to develop a Fire Plan, as referenced in Timber Sale Contract Standard Provision B11.1, for all active timber sales. At a minimum the Fire Plan should contain the following two items: 1) a communication plan that describes to whom a fire should be reported and the method to be used in the reporting; and 2) an inventory of equipment and qualified* manpower available for use on Wildland fires. (*Qualified means being able to meet National Wildfire Coordination Group (NWCG) standards with regard to training, qualifications and currency.)

Second, Timber Sale Contract Standard Provision B11.3 shall be modified to read as follows:

B11.3 Fire Reporting

The Purchaser shall immediately report any and all Wildland fires to the Officer in Charge, or the appropriate authority identified in the Fire Plan under B11.1.

When called upon by the Superintendent, the Purchaser shall make available any or all of his equipment and/or qualified manpower, including that of his subcontractors, for hire by the Bureau and to work

under the direction of any authorized employee of the Bureau in the suppression of any fire on or threatening Indian lands.

Third, until this change is made permanently in the Standard Provisions as part of an examination and renewal of all of the Standard Provisions, this change to B11.3 shall be specified as a Special Provision in Part A of the Timber Sale Contract for all new timber sales.

Fourth, all existing timber sale contracts shall be modified in one of the following two ways: 1) via formal Contract Modification (with concurrence from all parties to the contract) whereby the Modification contains the additional Special Provision superceding B11.3; or 2) via reference in the Logging Plan or Operations Plan to the timber sale, whereby it is described that Standard Provision B11.3 shall be enforced as described in the new language above.

4. Roles and Responsibilities

Director, Bureau of Indian Affairs (BIA). The BIA Director is responsible for the development of National Policy affecting Indian forest lands.

Deputy Director, Field Operations, BIA. The BIA Deputy Director of Field Operations is responsible for overseeing the Regional Directors and disseminating policy to them.

Deputy Director, Trust Services, BIA. The BIA Deputy Director of Trust Services is responsible for assisting in the dissemination of policy and information to the Regional Foresters, via the Chief, Division of Forestry.

Regional Directors, BIA. The BIA Regional Directors are responsible for carrying out policy as directed, and for overseeing the implementation of policy either directly or via Agency Superintendents.

5. Approvals



William Pat Ragsdale
Director, Bureau of Indian Affairs

5/17/2005
Date