

INDIAN AFFAIRS MANUAL

1.1 Purpose. This chapter provides an overview of the programs and services provided by the Bureau of Indian Affairs' (BIA) Branch of Wildland Fire Management (BWFM). BWFM ensures BIA's compliance with Federal Wildland Fire Management Policy, the National Fire Plan, and the Bureau's Wildland Fire Management policies, implementation, and practices.

Specifically, BWFM is responsible for managing and overseeing safe and effective wildland fire protection programs on Indian lands held in trust by the Federal Government.

1.2 Scope. This policy applies to all programs and offices under the authority of the Assistant Secretary - Indian Affairs (AS-IA). This policy may also apply to entities carrying out activities on behalf of BIA under contracts or agreements if expressly agreed to in the contracts or agreements, or if the requirement to abide by such policy is otherwise required by law.

1.3 Policy. It is the policy of the BIA to protect lives, property, and resources while restoring and maintaining healthy ecosystems through cost-effective fire-management programs and wildland firefighting, as well as hazard reduction, cooperative prevention and education, and technical assistance to achieve integrated wildland fire management objectives.

It is BIA's policy to adhere to wildland fire standards established by the National Wildfire Coordinating Group (NWCG), and to the Interagency Standards for Fire and Fire Aviation Operations (Red Book) which supplements policy and provides program direction for BIA.

1.4 Authority.

A. Statutes and Regulations.

- 1) 16 U.S.C. § 594, Protection of timber owned by the United States from fire, disease, or insect ravages
- 2) 16 U.S.C. § 6501, Healthy Forests Restoration Act of 2003, as amended
- 3) 18 U.S.C. §§ 1855 -1856, Timber set afire, and Fires left unattended and unextinguished
- 4) 42 U.S.C. § 1856a, Authority to enter into reciprocal agreement; waiver of claims; reimbursement; ratification of prior agreements
- 5) 42 U. S. C. § 4321 et seq., National Environmental Policy Act (NEPA) of 1969, as amended

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- 6) 43 U.S.C. § 1601 et seq, Alaska Native Claims Settlement Act of 1971, as amended
- 7) 25 CFR 163.28, Fire management measures
- 8) P.L. 93-288, Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974, as amended
- 9) P.L. 93-498, Federal Fire Prevention and Control Act of 1974, as amended
- 10) P.L. 93-638, Indian Self-Determination and Education Assistance Act of 1975, as amended
- 11) P.L. 94-579, Federal Land Policy and Management Act of 1976
- 12) P.L. 101-630, National Indian Forest Resources Management Act of 1990
- 13) P.L. 103-177, American Indian Agricultural Resource Management Act of 1993
- 14) P.L. 103-413, Indian Self-Determination Act Amendments of 1994
- 15) P. L. 108-278, Tribal Forest Protection Act of 2004
- 16) P.L. 111-88, Title V - Federal Land Assistance, Management and Enhancement (FLAME) Act of 2009

B. Guidance.

- 1) 296 Departmental Manual (DM) 1, Fire Protection and Assistance
- 2) 303 DM 2, Principles for Managing Indian Trust Assets
- 3) 620 DM 1 thru 7, Wildland Fire Management
- 4) Master Interagency Agreement for Wildland Fire Management: between U.S. Department of Agriculture (USDA) and U.S. Department of the Interior (DOI), current version
- 5) Interagency Standards for Fire and Fire Aviation Operations (Red Book), current version

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C. Handbooks.

- 1) NWCG Wildland and Prescribed Fire Qualification System Guide, PMS 310-1, current version
- 2) Federal Wildland Fire Management Policy and Program Review Report, December 1995
- 3) Interagency Strategy for the Implementation of Federal Wildland Fire Management Policy, June 2003
- 4) Interagency Fire Program Management (IFPM) Qualifications Standards and Guide, October 2004
- 5) Interagency Burned Area Emergency Response Guidebook, February 2006
- 6) Interagency Burned Area Rehabilitation Guidebook, October 2006
- 7) Guidance for Implementation of Federal Wildland Fire Management Policy, February 2009
- 8) Wildland Fire Incident Management Field Guide, January 2014
- 9) The National Strategy: The Final Phase in the Development of the National Cohesive Wildland Fire Management Strategy, USDA and the DOI, April 2014
- 10) Standards for Interagency Hotshot Crew Operations, January 2016
- 11) Interagency Prescribed Fire Planning and Implementation Procedures Guide, July 2017
- 12) NWCG Glossary of Wildland Fire Terminology, PMS 205, January 2018
- 13) National Interagency Mobilization Guide, March 2018
- 14) NWCG Standards for Interagency Incident Business Management, PMS 902 (Yellow Book), April 2018

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1.5 Responsibilities.

A. Director, BIA is responsible for:

- 1) assuring adequate resources are available to meet trust obligations in protecting and preserving Indian trust assets from loss and damage;
- 2) managing, administering, or taking other fire management actions directly relating to or potentially affecting assets held in trust by the United States for Indian Tribes;
- 3) establishing and implementing wildland fire management programs, activities, policies, and procedures to implement the provisions of Part 620 DM;
- 4) participating on the Wildland Fire Leadership Council and Federal Fire Policy Council;
- 5) ensuring coordination among the DOI Office of Wildland Fire (OWF) and other Bureau/office programs and activities;
- 6) participating in wildland fire governance and coordination activities to promote common, consistent, and effective wildland fire programs and policies;
- 7) ensuring that Wildland Fire Management program direction is clear, available, and understood by agency administrators and employees;
- 8) ensuring that employees are trained, certified, and available to participate in wildland fire management programs at local, regional, and national levels;
- 9) approving and issuing necessary policies and practices for all aspects of the BWFM program and for implementing the provisions of Part 90 of the Indian Affairs Manual (IAM);
- 10) approving national level cooperative wildland fire management agreements with other federal agencies and interagency wildland fire coordinating groups; and
- 11) conducting meetings and negotiations with Tribes for settlement of conflicting issues.

B. Deputy Bureau Director (DBD), Office of Trust Services (OTS) is responsible for:

- 1) reviewing, evaluating, and recommending proposed wildland fire policy;

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- 2) implementing the policies and recommendations in the Federal Wildland Fire Management Policy and Program Review Report;
- 3) providing overall program direction;
- 4) providing for the coordination of wildland fire management activities with other federal, state, and non-government fire protection agencies, and internally between OTS programs; and
- 5) representing Indian Affairs (IA) on the DOI Fire Executive council and Executive Aviation Committee.

C. Chief, Division of Forestry and Wildland Fire Management is responsible for:

- 1) providing overall direction to the BIA Wildland Fire Management Program; and
- 2) integrating wildland fire management into natural resource management.

D. Chief, BWFM is responsible for:

- 1) providing management, coordination, direction, and oversight for the Bureau's wildland fire management program;
- 2) ensuring coordination among wildland fire and other Bureau programs and activities;
- 3) providing advice and assistance to the BIA Director, fire executives, and agency administrators in fulfilling their responsibilities under Part 620 DM;
- 4) providing technical advice and expertise in the development of Departmental handbooks, manuals, and other documents necessary to implement wildland fire management programs, policies, and activities;
- 5) advising and collaborating with the OWF in developing, implementing, and overseeing consistent wildland fire management policies, programs, and budgets;
- 6) participating in wildland fire governance and coordination entities to promote common, consistent, and effective wildland fire programs, policies, and activities;
- 7) proposing policies and developing guidelines, procedures, and standards for all aspects of wildland fire management on Indian trust and restricted lands;

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- 8) providing strategic leadership in implementing BIA's Wildland Fire Management Program and activities in accordance with 90 IAM;
- 9) establishing wildland fire management position competencies, standards, and minimum qualifications for Fire Management Officers, Wildland Fire Specialists, and leaders based on federal interagency standards as needed;
- 10) performing oversight, review, and evaluation of all wildland fire management functions including preparedness, hazardous fuels reduction, and emergency wildland fire operations;
- 11) implementing national fire programs and activities including: current planning model, preparedness, fuels management, community assistance, prevention, emergency wildland fire operations, post fire activities, medical standards, and IFPM;
- 12) reviewing and evaluating regional wildland fire management programs;
- 13) representing IA in the coordination of overall wildland fire management activities at the National Interagency Fire Center and coordinates IA representation on intra and interagency wildland fire committees, groups, and working teams;
- 14) establishing priorities for assignment of critical resources during wildland fire emergencies in conjunction with other Federal Fire Directors;
- 15) approving all initiation or continuance of prescribed fire and wildland fire use applications at National Fire Preparedness Planning Level 5;
- 16) initiating and/or participating in boards of review concerning actions taken on selected wildland fires;
- 17) negotiating cooperative agreements and/or modification of existing national level agreements to improve wildland fire management activities on Indian trust and restricted lands;
- 18) reviewing funding requests for hazardous fuel reduction, prevention, community assistance, facility construction, subsidiary and rehabilitation requests, and making determinations on funding levels, and recommending approval to the Deputy Bureau Director, OTS;
- 19) overseeing budget formulation activities and execution of the annual Bureau Wildland Fire budget; and

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20) making and approving funding levels for severity and post fire activity requests.

E. Regional Directors are responsible for:

- 1) ensuring that wildland fire activities reflect a commitment to safety and a state of readiness, commensurate with values at risk, to minimize wildfire loss;
- 2) managing, administering, or taking wildland fire management actions directly relating to or potentially affecting assets held in trust by the United States for Indian Tribes and individual Indians;
- 3) directing and overseeing the application of overall policies and implementation of wildland fire programs within their respective regions;
- 4) overseeing the funding allocation process, preparedness, fuels management, community assistance, prevention, emergency wildland fire operations, post fire activities, medical standards, and IFPM standards;
- 5) developing regional level cooperative fire protection agreements and interagency agreements;
- 6) submitting funding requests to the Chief, BWFM for severity, hazardous fuel reduction, prevention, community assistance, facility construction, subsidiary and emergency stabilization, and rehabilitation;
- 7) directing regional movement of fire management personnel and equipment to meet emergency needs;
- 8) determining when a critical fire situation has exceeded BIA Agency capability and ensuring that qualified personnel take immediate charge of fire suppression activities, and requesting assistance when the wildfire situation exceeds the capability of the region's resources;
- 9) making all qualified (red-carded) personnel available to respond during critical wildfire situations at the local, geographic, and national levels;
- 10) ensuring BIA Agency fire management personnel develop and maintain fire management job qualifications, meet physical fitness standards in accordance with policy, and assign personnel to fire suppression, prescribed fire, and wildland fire use activities according to qualifications and demonstrated ability;
- 11) approving all decisions in Wildland Fire Decision Support System (WFDSS) for

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BIA Agency fires exceeding \$5 (five) million dollars, and notifying the DBD, Field Operations whenever an individual BIA Agency fire has an anticipated cost exceeding \$10 million dollars;

- 12) approving all initiation or continuance of prescribed fire burn and wildland fire use plans at National Fire Preparedness Planning Level 4;
- 13) assigning boards of review on selected individual wildland fires which presented unusual problems or situations;
- 14) coordinating and implementing regional fire preparedness planning activities;
- 15) overseeing the region-wide casual and vendor payment programs for emergency incident payments;
- 16) coordinating with the Office of Justice Services, Special Agent in Charge when criminal activity associated with wildfires occurs on Indian lands;
- 17) representing Indian landowners' interests and IA on Geographic Area Coordination Groups and on Multi-Agency Coordinating groups; and
- 18) developing region-wide wildfire investigation policies and procedures.

F. BIA Agency Superintendents are responsible for:

- 1) protecting Indian trust and restricted lands from wildfire by taking appropriate action as specified in the approved fire management plan to meet Indian landowner objectives, or in the absence of an approved plan, taking immediate suppression action consistent with other standards;
- 2) developing plans, preparing agreements, and implementing activities for prescribed fires, wildland fire use, community assistance, and/or other fuel management activities in accordance with approved implementation plans and established standards and guidelines;
- 3) ensuring BIA Agency fire management personnel develop and maintain fire management job qualifications, meet physical fitness standards in accordance with policy, and assign personnel to fire suppression, prescribed fire, and wildland fire use activities according to qualifications and demonstrated ability;
- 4) developing, updating, and maintaining the local fire preparedness planning activities, Wildland Fire Prevention Plan (WFPP), annual mobilization plans, and

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ensuring initial attack capability and management personnel availability to provide for an adequate level of protection from wildfire;

- 5) coordinating the development of Published Decisions using the current approved documentation tool and approving an appropriate course of action whenever a wildfire exceeds suppression efforts, management capability is inadequate to accomplish fire use objectives, or a prescribed fire can no longer be implemented in accordance with the approved plan;
- 6) approving all decisions in the WFDSS for BIA Agency fires costing up to \$5 (five) million dollars;
- 7) initiating, developing, and implementing approved emergency stabilization activity to prevent unacceptable resource degradation and to minimize threats to life or property resulting from wildfire;
- 8) initiating, developing, and implementing approved rehabilitation activities to protect and sustain ecosystems, public health, safety, and to help communities protect infrastructure;
- 9) developing, updating, and maintaining the BIA Agency Fire Management Plan;
- 10) negotiating cooperative or interagency agreements with adjacent protection organizations as needed;
- 11) negotiating reimbursable agreements with Tribal, local, state, and other federal agencies for wildland fire management activities as needed;
- 12) recommending a board of review be established to review actions taken on selected individual BIA Agency fires;
- 13) ensuring that all prescribed fire and wildland fire use fires that escape and result in resource or property damage are reviewed and investigated;
- 14) requesting assistance through appropriate interagency channels when the wildfire situation exceeds the capabilities of the BIA Agency's resources;
- 15) initiating investigation of wildfires to determine cause and origin and if fire trespass has occurred;
- 16) coordinating with appropriate law enforcement agency when wildfire crimes are suspected and/or detected;

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- 17) entering and maintaining employee fire qualifications in the Bureau-approved system of record, and entering and maintaining fire occurrence in the Bureau fire reporting system;
- 18) using prevention funding to implement the wildfire prevention actions in the BIA Agency or Tribal WFPP;
- 19) adhering to the casual pay plan hiring authority; and
- 20) providing all financial and accountability oversight for the BIA Agency Wildland Fire Management Program including casual pay and vendor programs.

1.6 Definitions.

The "Glossary of Wildland Fire Terminology" contains most definitions for terminology used by Wildland Fire Management agencies in the USDA and DOI and is located at: <http://www.nwcg.gov/pms/pubs/glossary/index.htm>.

1.7 Standards, Requirements, and Procedures

Subsequent Wildland Fire Management policies (Part 90 of the IAM) and related handbooks provide specific information on IA's policies and procedures for key Wildland Fire Management functions. Additionally, government-wide Wildland Fire Management standards, requirements, and procedures are documented in the current version of the Interagency Standards for Fire and Fire Aviation Operations (Red Book): https://www.nifc.gov/policies/pol_ref_redbook.html.

Approval



Darryl LaCounte
Director, Bureau of Indian Affairs

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Date