NRCS Prescribed Burning
NRCS Prescribed Burning Discussion Topics

- NRCS Prescribed Fire Program
- NRCS Prescribed Fire Policy
- NRCS Rx needs going forward
Prescribed Fire

Restores natural process (fire) to landscape

Specialized knowledge and support needed from fire service agency

Usable in forests with low density of trees and biomass

Risk of escape, limited burning windows

Effective in steep terrain locations inaccessible to equipment
Policy

(GM_190_413 - Part 413 – Prescribed Burning)

- NRCS supports, has authority, and funds Prescribed Burning on non federal lands.

- Clients are persons, groups, Tribes, corporations, organizations, conservation districts, and units of government.
NRCS Prescribed Burning

Policy

(GM_190_413 - Part 413 – Prescribed Burning)

- ****NRCS staff only participate in prescribed burn conservation planning

- Must have “Job Approval Authority” -16 hrs. awareness training, 5 yr. refresh, participating in burning in training capacity.
NRCS Prescribed Burning

**Policy**

(GM_190_413 - Part 413 – Prescribed Burning)

- Burn Plans are required for EQIP contracts with Prescribed Burning.

- ****Staff do not write “Burn Plans” or implement burning.

- ****Burn Plans are developed only by CAL FIRE or NWCG qualified fire boss.
NRCS Prescribed Burning

Policy

(GM_190_413 - Part 413 – Prescribed Burning)

- Burn Plans must follow CAL FIRE or NWCG standards.
NRCS Prescribed Burning

- Technical Assistance to landowners: Limited advice on Rx to small private non industrial landowners health

- Financial Assistance – Environmental Quality Incentive Program (EQIP)

- Participation with Rx Fire partners:
  - Governor Tree Mortality Task Force
  - Prescribed Fire Partners MOU
  - Coordination of projects with BIA, CAL FIRE and USFS
NRCS Prescribed Burning

Financial Assistance - EQIP

- Private forest or rangeland owners apply for EQIP $

- EQIP is competitive, applications are ranked 4 times a year.

- Highest ranked projects - NRCS contracts with landowners
NRCS Prescribed Burning

Financial Assistance - EQIP

Contracts contain “Practices”:

- 112 Burn Plan
- 338 Prescribed Burning
- 394 Fire Breaks (for perimeter control)
- 660 Pruning
- 384 Woody Residue Treatment
  (e.g. crush brush)

https://efotg.sc.egov.usda.gov/treemenuFS.aspx
NRCS Prescribed Burning

Financial Assistance – EQIP Payment Rates

- 112 Burn Plan - $269 to $1,294/Plan
- 338 Prescribed Burning - $8 to $237/ ac.
- 394 Fire Breaks (for perimeter control) - $.02 – $3.62/ft.
- 660 Pruning - $126- $284/ac
- 384 Woody Reside Treat (e.g. crush brush) $61-$586/ac
NRCS Prescribed Burning

Focus on

• Conifer forests
• Oak woodlands restoration
• Rangelands
• Recent interest with Native American tribes
NRCS Prescribed Burning

Prescribed Burn Opportunities

• Expand relationships with partners – Need help in burn plan writing and implementing burning.

• **Burn Plan Writer Quals**: Reconsider policy on Burn Plan writer qualification.

• **NRCS staff training** – Need 16 hr. awareness. Limited training from NRCS. Need help from partners.

• **Private Rx burn contractors** - Private qualified burning experts become TSPs.

• **NRCS Rx burn payment allowances adjustments**
NRCS Prescribed Burning

**Summary**

- NRCS provides Assistance for Rx burning
- Forest conditions in CA need management practices, including fire, to restore resilient forests
- NRCS does not prepare burn plans or implements Rx: needs help from partners.
- Burn Plans are developed and implemented only by CALFIRE or NWCG qualified fire boss.
March 14, 2014

CALIFORNIA BULLETIN NO. CA 190-14-01


Purpose: Update on State Policy for Prescribed Burning

Expiration Date: Until further notice

This directive sets forth the Natural Resources Conservation Service (NRCS) state policy for prescribed burning. Attached is the Title 190, Part 413 general manual amendment for California.

NRCS supports and encourages the use of prescribed burning within the context of Conservation Practice Prescribed Burning (Code 338), contained in the NHCP. Prescribed burning is appropriate on lands where its application will address specific resource concerns identified through the planning process.

In California, NRCS employees will not develop Prescribed Burn Plans, or Burn Implementation Plans (or Fire Control Plans). Prescribed burning will be implemented meeting CAL FIRE or the National Wildfire Coordination Group (NWCG) guidelines. Only those with job approval authority (JAA) will include the practice Prescribed Burning in a Conservation Plan. JAA will only be assigned by the State Forester, with concurrence of the State Resource Conservationist.

Please refer any questions on California’s prescribed burning policy to Stephen Smith, State Forester (530)792-5655.

CARLOS SUAREZ
State Conservationist

Attachments (1)
DIST: All AO and FO
413.0 Purpose

This directive sets forth the Natural Resources Conservation Service (NRCS) policy for prescribed burning.

413.1 Background

NRCS supports and encourages the appropriate use of prescribed burning on non-Federal lands to meet specific resource management objectives and on Plant Material Centers for the development, evaluation, and production of conservation plant materials. The national standard for prescribed burning is located in the National Handbook of Conservation Practices (NHCP) (Conservation Practice Code 338). The standard does not, and is not, intended to preempt or supersede requirements established by local, State, Tribal, or Federal agencies, but is intended to serve as a baseline for effective planning and implementation of prescribed burns.

413.2 Authorities

The following references provide authority for this policy:

- The Soil Conservation Domestic Allotment Act, as amended (Public Law 74—46, 49 Stat.163, 16 U.S.C. 590a) - provides the basic authority for NRCS to carry out conservation measures on the land and to assist land users in conducting conservation activities. NRCS has specific responsibilities to assist owners and operators in planning and applying conservation programs.

413.3 Definitions

A. Class of Burn - A description of the physical and/or chemical properties of the fuel and the burn area. This will also include topography, size, and complexity. Examples of classes of burns might be grass, volatile trees over 10 feet tall, nonvolatile woody species, greater than 12 percent slopes, 640 acres, etc.

B. The Clean Air Act (42 U.S.C. 7401 - 7671q) - A Federal statute that contains requirements addressing air quality concerns as they pertain to the protection of public health and public welfare, including air quality concerns associated with all prescribed burns.

C. Client - An individual, group, or unit of government that is the recipient of NRCS technical assistance. Examples of NRCS clients are landowners, managers, or partners who are primarily responsible for the business entity in its dealings with NRCS. Specific client types are person, group, Tribe, corporation, organization, conservation district, and units of government.

D. Fire Boss - The individual designated by the client as the person in charge of the prescribed burn and is the decision-maker during the application of a prescribed burn.

E. Prescribed Burn Certification - Documentation of the technical adequacy an NRCS employee has achieved relative to level of prescribed burn job approval authority assigned to the employee. Technical adequacy is achieved or maintained through training, continuing education, or equivalent as necessary to comply with NRCS State standards. The appropriate NRCS State specialist must certify the level of technical adequacy of the NRCS employee before the job approval authority is approved by the State Conservationist/Directors of the Pacific Islands and Caribbean Areas.

F. Prescribed Burn Job Approval Authority - The level of technical assistance that an NRCS employee is qualified to provide based on the complexity of the prescribed burn. The extent of technical assistance will be restricted by the assigned level of prescribed burn job approval authority issued by the State Conservationist/Directors of the Pacific Islands and Caribbean Areas. An NRCS employee must meet the initial training and experience requirements as outlined in Title 190 General Manual, Part 413, Subpart B, Section 413.12, Certification and Authority, to be issued prescribed burn job approval authority.

G. Prescribed Burn Plan - A document providing critical information necessary to implement a prescribed burn. At a minimum, the required specific data include location of the burn, resource management objectives, pre-burn vegetation, required weather conditions, smoke management plan, notification checklist, burning method to be used, pre-burn preparation, firing sequence, job assignments, equipment checklist, identified escape routes and safety zones, plan for post-burn evaluation and management, and necessary signatures of approval.
Subpart B - Policy

413.10 Prescribed Burning

NRCS supports and encourages the use of prescribed burning within the context of Conservation Practice Prescribed Burning (Code 338), contained in the NHCP. Prescribed burning is appropriate on lands where its application will appropriately address specific resource management concerns and objectives identified through the planning process. Only those with approval authority will include the practice Prescribed Burning in a Conservation Plan.

413.11 Training

A. NRCS personnel must be adequately trained to achieve prescribed burn certification and prescribed burn job approval authority to assist clients regarding the Conservation Practice Prescribed Burning (Code 338) during the planning process.

B. At the minimum, 16 hours of awareness training are required for prescribed burn certification and prescribed burn job approval authority to include prescribed burning as a practice in the conservation planning process. This training must include fire ecology and behavior, fire effects on resources (SWAPA), safety, and smoke management. Continuing education equivalent to 16 hours is required at a minimum of every 5 years.

C. State Conservationists/Directors of the Pacific Islands and Caribbean Areas will determine the additional training necessary for each level of prescribed burn certification and prescribed burn job approval authority. Continuing education is required at a minimum of every 5 years to maintain each level of prescribed burn job approval authority.

D. NRCS encourages employees to participate in prescribed burn training activities and workshops, including those conducted by other agencies or organizations. Training from other sources can meet prescribed burn certification and prescribed burn job approval authority as approved by State Conservationists/Directors of the Pacific Islands and Caribbean Areas.

413.12 Certification and Authority

A. Certification documents the knowledge, skills, and abilities an individual employee has relative to the assigned level of prescribed burn job approval authority. Certification must include records of the employee’s prescribed burn plan development, formal training, and participation in actual prescribed burns for the level of prescribed burn job approval authority assigned. To achieve or maintain a level of job approval authority, employees must demonstrate appropriate experience and complete necessary training, and/or continuing education requirements as identified by the State Conservationists/Directors of the Pacific Islands and Caribbean Areas. A record of this certification is maintained in the employee’s personnel file.

B. Prescribed burn job approval authority is established in any State, Caribbean Area, and Pacific Islands Area where prescribed burning is an approved conservation practice in the Field Office Technical Guide (FOTG) and offered as an alternative in the conservation planning process. Prescribed burn job approval authority is granted by the State Conservationists/Directors of the Pacific Islands and Caribbean Areas.

C. In California, job approval authority will also follow CAL FIRE or the National Wildfire Coordination Group (NWCG) guidelines, and will only be assigned by the State Forester, with concurrence of the State Resource Conservationist. Prescribed burn job approval authority criteria are as follows:

1. Sixteen hours of awareness training in prescribed burning constitute the required minimal level of authority for an NRCS employee to offer prescribed burning as an alternative practice in the conservation planning process.
2. Authority levels are progressive in nature, allowing employees to plan burns that are more complex only when they are qualified to do so.
3. CA NRCS employees will not develop burn plans, or approve burn plans. These will be developed and approved by CALFIRE or by an approved Fire Boss as granted by the State Conservationist.
4. NRCS employees must demonstrate good judgment, knowledge, skills, and abilities in prescribed burning in order to obtain prescribed burn job approval authority.
5. In California, practice approval certification is by the State Forester. The State Forester, with concurrence of the State Resource Conservationist, has the sole authority to delegate approval of this practice.

D. Where laws and regulations require certification, licensing, or both for prescribed burning authority, NRCS personnel must be certified, licensed, or both by the designated agency to participate in prescribed burning activities.
E. Prescribed burn job approval authority may be granted to employees who have documented evidence of previous training or experience that equals or exceeds NRCS prescribed burning requirements. NRCS employees with extensive training, experience, and education in prescribed burning may provide supporting documentation to the State Conservationist/Directors of the Pacific Islands and Caribbean Areas to receive consideration for certification and job approval authority.

F. Any NRCS employee who violates NRCS Prescribed Burning Policy will have job approval authority immediately revoked.

**413.13 Planning Prescribed Burns**

A. Burns planned with NRCS assistance must adhere to Federal, Tribal, State, and local laws and requirements such as outdoor burning, fire control, smoke management, and air quality etc.

B. Clients are responsible for obtaining all permits and clearances as required by law and regulation.

C. Clients must be informed in writing of their potential liability.

D. A written, detailed, prescribed burn plan, which thoroughly addresses and meets the minimum prescribed burn conservation practice standard and specifications established by each State, is developed prior to implementation. When NRCS does not develop the prescribed burn plan, documentation must be provided showing the burn met NRCS standards. In California, NRCS employees will not develop Prescribed Burn Plans, or Burn Implementation Plans (or Fire Control Plans). These will be developed by CALFIRE, and will follow CAL FIRE or National Wildfire Coordination Group (NWCG) guidelines.

F. Separate prescribed burn plans must be developed for each prescribed burn. Prescribed burn plans are valid only for the location and time frame planned. If a client decides to change the location of the burn, or is unable to burn during the prescribed time frame and conditions, a new or revised prescribed burn plan must be prepared prior to conducting the burn.

G. At Plant Materials Centers, burns planned as a management or study tool will be limited to no more than 10 acres per field.

**413.14 Technical Planning and Application Assistance**

A. NRCS assistance to clients regarding prescribed burning can include conservation planning. In California, NRCS employees will not develop Prescribed Burn Plans, or Burn Implementation Plans (or Fire Control Plans). These will be developed by CALFIRE or by an approved Fire Boss as granted by the State Conservationist, and will follow CAL FIRE or National Wildfire Coordination Group (NWCG) guidelines.

B. Extent of assistance an Individual NRCS employee can provide is restricted by the individual's level of prescribed burn job approval authority.

C. Employees without appropriate level of prescribed burn job approval authority are encouraged to participate, under the supervision of an employee with proper certification and prescribed burn job approval authority or others with appropriate authority (State certification, National Wildfire Coordinating Group certification etc.), as a means of receiving training and experience. In California, the Burn Implementation or Fire Control Plan, developed by the responsible agency / organization (Fire Boss), will follow CAL FIRE or National Wildfire Coordination Group (NWCG) guidelines.

D. For purposes of training landowners, managers, and NRCS employees, NRCS personnel with appropriate prescribed burn job approval authority may participate in the following activities (permitted only during designated training experiences):

1. Serve as designated fire boss;
2. Serve as a team leader for the implementation and completion of the burn;
3. Direct field operations and make decisions, adjustments, and corrections necessary to ensure that the fire meets the planned objectives and that all participants are safe; and
4. Assist with ignition of the fire.

E. The Conservation Practice Prescribed Burning (Code 338) is reported as planned or applied only when the prescribed burn plan has been reviewed and approved by an employee with the appropriate level of prescribed burn job approval authority for the class of burned planned and applied. When the prescribed burn plan is developed by partners or others approved by NRCS, NRCS may certify and report the applied practice met the standard based on appropriate documentation of the practice application.

F. Employees at Plant Materials Centers with the appropriate level of prescribed burn job approval authority and certification can conduct burns at Plant Materials Centers for the development, evaluation, and production of conservation plant materials and to maintain natural areas.
413.15 Safety

A. Safety is the first consideration in prescribed burning. The Prescribed Burn Plan will document all the conditions and factors that must be in place for the burn to be accomplished safely, and the fire boss must certify such immediately prior to the ignition of the prescribed burn. If unfavorable atmospheric, fuel, logistical, or other conditions exist or are predicted by a weather forecast, the fire boss must postpone the burn until burn plan parameters can be met. If NRCS personnel are present on the burn to provide prescribed fire application assistance prior to ignition and unfavorable conditions exist, NRCS employees are required to immediately inform the fire boss or client of the concerns and request that they take corrective action, which may include postponing the burn. Should the designated fire boss or client not take corrective action and continues to implement the burn under conditions outside the parameters of the prescribed burn plan, NRCS employees are required to inform the fire boss and client that NRCS participation is prohibited, assistance is withdrawn and that employees will return to the field office and document appropriately.

B. During a properly applied prescribed burn, and an emergency situation develops, NRCS employees are to follow the direction of the designated fire boss and act responsibly to assist in resolving the situation.

C. The client (landowner or his/her designee) must be on-site throughout the prescribed burn period. NRCS personnel will not serve as the client's designee.

D. All persons present on a fire will wear natural fiber clothing or "nomex" clothing, leather gloves, hard hat if burning in forest, shrub, or woodland, eye protection, and leather boots. Employees and all other persons must also be physically capable of performing the activities associated with prescribed burning.

413.16 NRCS Employee Liability

Employees acting in accordance with all Federal, Tribal, State, and local laws and within the scope of their work accept no greater or less liability than that associated with the performance of any other assigned duty. Any questions concerning liability are referred to the appropriate State Conservationist/Directors of the Pacific Islands and Caribbean Area.
413.20 National Headquarters

A. The Deputy Chief for Science and Technology, under the direction of the Chief, is responsible for:
   (1) Providing national leadership for policy and procedures for assisting clients on prescribed burning.
   (2) Approving prescribed burn policy.
   (3) Designating the NRCS Applied Fire Ecologist.

B. The Regional Conservationists are responsible for:
   (1) Ensuring that States and equivalent within their region are following the Prescribed Burn Policy.
   (2) Conducting a biannual review of States and equivalent of the prescribed burn certification and job approval authorities for States that include the Conservation Practice Prescribed Burning (Code 338) in the Field Office Technical Guide (FOTG).

C. The Director of the Ecological Sciences Division (ESD) is responsible for:
   (1) Ensuring the development, implementation, and evaluation of policy and procedures on assisting clients and operators on prescribed burning.
   (2) Ensuring the Conservation Practice Prescribed Burning (Code 338) is maintained within national laws, regulations, and executive orders.

D. The National Range and Grazing Lands Ecologist of the ESD is responsible for:
   (1) Recommending to the Director of ESD development, implementation, evaluation, and revisions of prescribed burn policy on an as needed basis.
   (2) Developing procedures and assist NRCS employees on clarification of prescribed burning policy.
   (3) Ensuring that the Conservation Practice Standard Prescribed Burning (Code 338) is current and technically accurate.

E. The Designated NRCS Applied Fire Ecologist is responsible for:
   (1) Ensuring that prescribed burn policy and procedures are current and technically accurate.
   (2) Ensuring that necessary prescribed burn guidance and exhibits are contained in the National Range and Pasture Handbook and the National Plant Materials Manual.
   (3) Providing assistance, training materials, and training regarding prescribed burning at the national and regional level.

413.21 National Technology Support Center Offices

The Directors of National Technology Support Centers are responsible to:
   (1) Providing assistance to the service area in development of Prescribed Burn Certification and Prescribed Burn Job Approval Authority, where the Conservation Practice Prescribed Burning (Code 338) is included in the FOTG.
   (2) Assisting the service area in identification, development, and delivery of prescribed burn training.
   (3) Ensuring that staff assigned to support the service area on prescribed burn training acquires adequate level of expertise to accomplish the mission.

413.22 State / Pacific Islands and Caribbean Area Offices

The State Conservationist/Director of the Pacific Islands and Caribbean Areas is responsible to:
   (1) Ensuring that employees operate within national, Federal, State, Tribal, and local laws, regulations, policies, and procedures for prescribed burning.
   (2) Providing adequate training and equipment for employees involved in prescribed burning activities.
   (3) Developing prescribed burn job approval authority criteria and ensuring that employees act within their assigned levels of authority.
   (4) Identifying and approving partners and others qualified to provide prescribed burn plan development, application, and training.
   (5) Determining the amount and kind of training necessary for each level of job approval authority.
   (6) Ensuring that prescribed burn job approval criteria are reviewed and concurred with, in advance, by the appropriate technical specialist.
   (7) Developing a system of certification for documenting continuing education and training to achieve and maintain proficiency and prescribed burn job approval authority.
(8) Ensuring that only qualified NRCS employees are used for reviews and spot checks of prescribed burning activities, or develop a system for reviews by approved partners and others of prescribed burning activities, including prescribed burn plan development.
(9) Developing a system to approve all prescribed burning training activities in the State, Caribbean, and Pacific Islands Areas.
(10) Working with districts, State agencies, other Federal agencies, universities, cooperative extensions, consultants, non-governmental organizations, and other partners to promote prescribed burning as a safe and effective management tool for multiple land uses and purposes in the State.

413.23 Field Offices (or equivalent)

The Field office (or equivalent) technical loader (e.g., Area Conservationist, District Conservationist, Team Loader, Group Loader, or equivalent) is responsible for providing local leadership in implementing prescribed burning policy and procedures in accordance with job approval authority and/or certification.

413.24 Plant Materials Centers

The Plant Materials Center technical scientist (or equivalent) responsible person (e.g., Manager, Assistant Manager, Biological Technician, Farm Manager,) is responsible for providing leadership in implementing prescribed burning policy and procedures at Plant Materials Centers, in accordance with job approval authority and/or certification.
Part 413 – Prescribed Burning

Subpart A – General
413.0 Purpose
413.1 Background
413.2 Authorities
413.3 Definitions

Subpart B – Policy
413.10 Prescribed Burning
413.11 Training
413.12 Certification and Authority
413.13 Planning Prescribed Burns
413.14 Technical Planning and Application Assistance
413.15 Safety
413.16 NRCS Employee Liability

Subpart C – Responsibilities
413.20 National Headquarters
413.21 National Technology Support Centers
413.22 States and Caribbean and Pacific Islands Areas
413.23 Field Offices (or equivalent)
413.24 Plant Materials Centers
PART 413 – PRESCRIBED BURNING

SUBPART A – GENERAL

413.0 Purpose

This directive sets forth the NRCS policy for prescribed burning.

413.1 Background

NRCS supports and encourages the use of prescribed burning on all lands to meet specific resource management objectives and on plant materials centers for the development, evaluation, and production of conservation plant materials. The national standard for prescribed burning is located in Title 450, National Handbook of Conservation Practices, Chapter 3, “National Practice Standards,” Conservation Practice Standard (CPS) Prescribed Burning (Code 338). The standard does not, and is not, intended to preempt or supersede requirements established by local, State, Tribal, or Federal agencies, but is intended to serve as a baseline for effective planning and implementation of prescribed burns.

413.2 Authorities

The following references provide authority for this policy:

The Soil Conservation Domestic Allotment Act, as amended (Public Law 74-46, 49 Stat. 163, 16 U.S.C. Sec. 590(a)), provides the basic authority for NRCS to carry out conservation measures on the land and to assist land users in conducting conservation activities. NRCS has specific responsibilities to assist owners and operators in planning and applying conservation programs.

413.3 Definitions

A. Class of Burn.—A description of the physical and/or chemical properties of the fuel and the burn area. This includes topography, size, and complexity. Examples of classes of burns might be grass, volatile trees over 10 feet tall, nonvolatile woody species, greater than 12-percent slopes, 640 acres, etc.

B. The Clean Air Act (42 U.S.C. Sects. 7401–7671q).—A Federal statute that contains requirements addressing air quality concerns as they pertain to the protection of public health and public welfare, including air quality concerns associated with all prescribed burns.

C. Client.—An individual, group, or unit of government that is the recipient of NRCS technical assistance. Examples of NRCS clients are landowners, managers, or partners who are primarily responsible for the business entity in its dealings with NRCS. Specific client types are person, group, Tribe, corporation, organization, conservation district, and units of government.

D. Fire Boss.—The individual designated by the client as the person in charge of the prescribed burn and is the decision maker during the application of a prescribed burn. This will not be an NRCS employee.
E. Prescribed Burn Certification.—Documentation of the technical adequacy an NRCS employee has achieved relative to level of prescribed burn job approval authority (JAA) assigned to the employee. Technical adequacy is achieved or maintained through training, continuing education, or equivalent, as necessary to comply with NRCS State standards. The appropriate NRCS State specialist must certify the level of technical adequacy of the NRCS employee before the JAA is approved by the State conservationist and directors of the Caribbean and Pacific Islands Areas.

F. Prescribed Burn Job Approval Authority.—The level of technical assistance that an NRCS employee is qualified to provide based on the complexity of the prescribed burn. The extent of technical assistance will be restricted by the assigned level of prescribed burn JAA issued by the State conservationist and directors of the Caribbean and Pacific Islands Areas. An NRCS employee must meet the initial training and experience requirements as outlined in subpart B, section 413.12, of this part of the general manual to be issued prescribed burn JAA.

G. Prescribed Burn Plan.—A document providing critical information necessary to implement a prescribed burn. At a minimum, the required specific data include location of the burn, resource management objectives, preburn vegetation, required weather conditions, smoke management plan, notification checklist, burning method to be used, preburn preparation, firing sequence, job assignments, equipment checklist, identified escape routes and safety zones, plan for postburn evaluation and management, and necessary signatures of approval.

H. Prescribed Burning.—Any fire ignited by management actions under predetermined conditions to meet specific objectives related to land management goals or identified resource concerns.

I. Smoke Management.—The policies and activities implemented by air and natural resource managers directed at minimizing the amount of smoke entering populated areas or impacting sensitive sites, avoiding significant deterioration of air quality and violations of National Ambient Air Quality Standards, and mitigating human-caused visibility impacts in class-I areas.

J. Operations Director/Manager.—The operations director/manager is responsible for coordinating the overall implementation of the prescribed burn operation at the direction of the fire boss. The operations manager delegates leadership authority to crew chiefs and is responsible for maintaining contact with the fire boss and crew chiefs throughout the progression of the burn.

K. Crew Chief.—The crew chief directs ignition and suppression operations for their area of responsibility as assigned by the operations manager/director. The crew chief is responsible for keeping in contact with each member of their crew and the operations director during the progression of the burn.
PART 413 – PRESCRIBED BURNING

SUBPART B – POLICY

413.10 Prescribed Burning

NRCS supports and encourages the use of prescribed burning within the context of NRCS CPS Prescribed Burning (Code 338), contained in the Title 450, National Handbook of Conservation Practices (450-NHCP). Prescribed burning is appropriate on lands where its application will appropriately address specific resource management concerns and objectives identified through the planning process.

413.11 Training

A. NRCS personnel must be adequately trained to achieve prescribed burn certification and prescribed burn job approval authority (JAA) to assist clients regarding the NRCS CPS Prescribed Burning (Code 338) during the planning process.

B. At the minimum for initial awareness-level certification, the following subject matter related to prescribed burning will be covered in 16 hours of training.

- Awareness level: for prescribed burn JAA to determine need and feasibility of prescribed burning as a practice in the conservation planning process.
  - (i) Fire Behavior.—Fuels, weather, and topography.
  - (ii) Fire Ecology.—Relevant to the local and regional land uses and typical resource concerns.
  - (iii) Fire Effects on Resources.—Achieving burn objectives and studying potential effects that include both positive and negative effects.
  - (iv) Safety.—Onsite burner safety, and offsite nonburner safety.
  - (v) Smoke Management.—Relevant local and State air quality standards and laws (local, State, Federal, and nongovernmental organizations (NGOs) that provide prescribed burning training).

C. A 4-hour refresher course of all the content is required every 5 years if the employee has not received continuing education units or has not maintained knowledge, skills, and abilities (KSAs) through active planning and technical assistance. The source of the training can differ, provided it fulfills the above training criteria.

D. State conservationist and directors of the Caribbean and Pacific Islands Areas, or designee, will determine the additional training necessary for each level of prescribed burn certification and prescribed burn JAA.

E. NRCS encourages employees to participate in prescribed burn training activities and workshops, including those conducted by other agencies or organizations. Training from other sources can meet prescribed burn certification and prescribed burn JAA as approved by State conservationists and directors of the Caribbean and Pacific Islands Areas.

413.12 Certification and Authority

A. Certification documents the KSAs an individual employee has relative to the assigned level of prescribed burn JAA. Certification must include records of the employee’s prescribed burn plan development, formal training, and participation in actual prescribed burning.
burns for the level of prescribed burn JAA assigned. To achieve or maintain a level of JAA, employees must demonstrate appropriate experience and complete necessary training, and continuing education requirements as identified by the State conservationist and directors of the Caribbean and Pacific Islands Areas. A record of this certification is maintained in the employee’s personnel file.

B. The National JAA classes are listed and maintained in Title 190, National Range and Pasture Handbook (190-NRPH).

C. Prescribed burn JAA is established in any State, and Caribbean and Pacific Islands Areas where prescribed burning is an approved conservation practice in the Field Office Technical Guide and offered as an alternative in the conservation planning process. Prescribed burn JAA is granted by the State conservationist and directors of the Caribbean and Pacific Islands Areas. Prescribed burn JAA criteria are as follows:

1. Sixteen hours of awareness training in prescribed burning constitute the required minimal level of authority for an NRCS employee to offer prescribed burning as an alternative practice in the conservation planning process.

2. Authority levels are progressive in nature, allowing employees to plan burns that are more complex only when they are qualified to do so.

3. The prescribed burn plan must be approved by an individual with the appropriate level of prescribed burn JAA prior to delivery to the client.

4. Employees must not approve prescribed burn plans without authority and certification for the class of burn being planned.

5. To obtain a level of prescribed burn JAA to develop a prescribed burn plan, the employee must—
   (i) Participate in at least one training burn.
   (ii) Develop plans and provide technical assistance on at least three burns at a class rating equivalent to the desired level.
   (iii) Obtain approval of plans, by an employee with appropriate JAA, prior to and after completion.
   (iv) Participate in at least three of these burns or participate in three burns as approved by the State conservationist and directors of the Caribbean and Pacific Islands Areas.

6. NRCS employees must demonstrate good judgement and KSAs in prescribed burning, to obtain prescribed burn JAA.

D. Where laws and regulations require certification, licensing, or both, for prescribed burning authority, NRCS personnel must be certified, licensed, or both by the designated agency to participate in prescribed burning activities.

E. Prescribed burn JAA may be granted to employees who have documented evidence of previous training or experience that equals or exceeds NRCS prescribed burning requirements. NRCS employees with extensive training, experience, and education in prescribed burning may provide supporting documentation to the State conservationist and directors of the Caribbean and Pacific Islands Areas to receive consideration for certification and JAA.

F. Any NRCS employee who violates NRCS prescribed burning policy may have disciplinary actions taken or JAA revoked as determined by the State conservationist.
413.13 Planning Prescribed Burns

A. Burns planned with NRCS assistance must adhere to Federal, Tribal, State, and local laws and requirements, such as outdoor burning, fire control, smoke management, and air quality.

B. Clients are responsible for obtaining all permits and clearances as required by law and regulation.

C. Clients must be informed in writing of their potential liability.

D. A written prescribed burn plan, which thoroughly addresses and meets the minimum prescribed burn conservation practice standard and specifications established by each State, is developed prior to implementation. When NRCS does not develop the prescribed burn plan, documentation must be provided prior to implementation showing the burn plan meets or exceeds NRCS standards. An example prescribed burn plan is maintained in the 190-NRPH appendices.

E. Separate prescribed burn plans must be developed for each prescribed burn. Prescribed burn plans are valid only for the location and time frame planned. If a client decides to change the location of the burn or is unable to burn during the prescribed time frame and conditions, a new or revised prescribed burn plan must be prepared prior to conducting the burn.

F. At plant materials centers (PMCs), burns planned as a management or study tool will not be restricted to number of acres or frequency of burns provided the PMC has personnel on site with proper JAA for any particular prescribed burn.

413.14 Technical Planning and Application Assistance

A. NRCS assistance to clients regarding prescribed burning can include conservation planning, prescribe burn plan development, training (including training burns), and on-the-ground assistance with prescribed burn application.

B. Extent of assistance an individual NRCS employee can provide is restricted by the individual’s level of prescribed burn JAA.

C. Employees without appropriate level of prescribed burn JAA are encouraged to participate, under the supervision of an employee with proper certification and prescribed burn JAA or others with appropriate authority (State certification, National Wildfire Coordinating Group certification, etc.), as a means of receiving training and experience.

D. For purposes of providing technical assistance to landowners, managers, and NRCS employees, NRCS personnel with appropriate prescribed burn JAA may participate in the following activities:

   1. Development and design of the prescribed burn plan.
   2. Serve as an operations manager for the implementation and completion of the burn.
   3. Serve as crew chief and make decisions, adjustments, and corrections necessary to ensure that the fire meets the planned objectives and that all participants are safe.
   4. Assist with ignition of the fire.
   5. Provide assistance with suppression activities.
   6. Take weather measurements.
   7. Serve as spotters or flagmen.
   8. Serve as fire boss only on official designated NRCS training burn when seeking JAA for a higher class burn. This is not the client’s designee.
E. The CPS Prescribed Burning (Code 338) is reported as planned or applied only when the prescribed burn plan has been reviewed and approved by an employee with the appropriate level of prescribed burn JAA for the class of burn planned and applied. When the prescribed burn plan is developed by partners or others approved by NRCS, NRCS may certify and report the applied practice met the standard based on appropriate documentation of the practice application.

F. Employees at PMCs with the appropriate level of prescribed burn JAA and certification can develop plans and conduct burns at PMCs for the development, evaluation, and production of conservation plant materials and to maintain natural areas.

413.15 Safety

A. Safety is the first consideration in prescribed burning. The prescribed burn plan will document all the conditions and factors that must be in place for the burn to be accomplished safely and the fire boss must certify such immediately prior to the ignition of the prescribed burn.

B. If unfavorable atmospheric, fuel, logistical, or other conditions exist or are predicted by a weather forecast, the fire boss must postpone the burn until burn plan parameters can be met. If NRCS personnel are present on the burn to provide prescribed fire application assistance prior to ignition and unfavorable conditions exist, NRCS employees are required to immediately inform the fire boss or client of the concerns and request that they take corrective action, which may include postponing the burn.

C. Should the designated fire boss or client not take corrective action and continues to implement the burn under conditions outside the parameters of the prescribed burn plan, NRCS employees are required to inform the fire boss and client that NRCS participation is prohibited and assistance is withdrawn, and employees will return to field office and document appropriately.

D. If an emergency situation develops during a properly applied prescribed burn, NRCS employees are to follow the direction of the designated fire boss and act responsibly to assist in resolving the situation.

E. The client (landowner or designee) must be onsite throughout the prescribed burn period. If the client chooses to name a designee, this name must appear in writing on the burn plan next to the client’s name with a statement verifying that this person has been named by the client as the designee. NRCS personnel will not serve as the client’s designee.

F. All persons present on a fire will wear nonflammable fire-resistant clothing; leather gloves; hardhat if burning in forest, shrub, or woodland; eye protection; and leather boots. Employees and all other persons must also be physically capable of performing the activities associated with prescribed burning.

413.16 NRCS Employee Liability

Employees acting in accordance with all Federal, Tribal, State, and local laws and within the scope of their work accept no greater or less liability than that associated with the performance of any other assigned duty. Any questions concerning liability are referred to the appropriate State conservationist and director of the Caribbean and Pacific Islands Areas.