



**FISH AND WILDLIFE SERVICE  
MANAGEMENT OF NON-OWNED LANDS**

**Management of Non-Owned Lands                      Part 645 Prescribed Fire for Non-Service Lands**

**Chapter 1 Prescribed Fire Policy for Non-Service Lands**

**645 FW 1**

D. For information about practices that Wildlife and Sport Fish Restoration Program (WSFR) grant recipients should follow when performing prescribed fire projects, see the Service’s [Fire Management Handbook](#), Chapter 17, Prescribed Fire and Fuels Management.

**PROGRAM BACKGROUND**

**1.3 What authorities allow the Service to support prescribed fire projects for the Partners and the Coastal Programs?**

- A. Department of the Interior and Related Agencies Appropriations Act of 2001 ([Public Law 106-291](#) et seq.).
- B. Fish and Wildlife Coordination Act ([16 U.S.C. 661](#) et seq.).
- C. Fish and Wildlife Act of 1956 ([16 U.S.C. 742a](#) et seq.).
- D. The Partners for Fish and Wildlife Act ([Public Law 109-294](#)).
- E. The Watershed Restoration and Enhancement Agreements Act of 2007: Wyden Amendment ([16 U.S.C. 1011](#)).
- F. [620 Departmental Manual \(DM\) 1-7](#), Wildland Fire Management.

**1.4 Who is responsible for this prescribed fire policy? See Table 1-1.**

**Table 1-1: Responsibilities for Prescribed Fire for the Partners and Coastal Programs**

These employees...	Are responsible for...
<b>A. The Director</b>	Overseeing the management of all Service programs, including the Partners and Coastal Programs.
<b>B. Chief, National Wildlife Refuge System (NWRS)</b>	<ul style="list-style-type: none"> <li>(1) Administering the Partners and Coastal Programs at a national level, including review and approval of national policies;</li> <li>(2) Coordinating Service activities related to the Partners and Coastal Programs; and</li> <li>(3) Overseeing the Service’s Fire Management Program.</li> </ul>
<b>C. Chief, Division of Natural Resources and Conservation Planning (in the NWRS Program)</b>	<ul style="list-style-type: none"> <li>(1) Providing direction regarding Partners and Coastal Program implementation,</li> <li>(2) Reviewing and approving budget to support the mission, and</li> <li>(3) Overseeing the coordination role among programs.</li> </ul>

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<b>These employees...</b>	<b>Are responsible for...</b>
<b>D. Regional Directors</b>	<p>(1) Implementing the Partners and Coastal Programs within their Regions, and</p> <p>(2) Designating Regional Program Coordinators.</p>
<b>E. Partners and Coastal Program Regional Coordinators</b>	<p>(1) Managing the Programs at the Regional level, which includes developing Program capacity and ensuring that employees complete fire management training as required by their roles (see sections 1.6 and 1.7); and</p> <p>(2) Ensuring that Service employee prescribed fire management qualifications meet standards for the work they are performing.</p>
<b>F. State Coordinators for the Partners Program and Coastal Program Managers</b>	<p>(1) Ensuring habitat restoration and enhancement projects involving prescribed fire meet policy standards,</p> <p>(2) Evaluating opportunities for habitat improvement,</p> <p>(3) Providing technical help to private landowners on restoring habitat,</p> <p>(4) Providing financial help to landowners who voluntarily wish to improve Federal trust species habitat on their lands, and</p> <p>(5) Designing and implementing habitat improvement projects under formal Program agreements with award recipients consistent with national guidance, policies, and directives.</p>

**1.5 What are the Service’s requirements for ensuring safety of employees and the public with prescribed fire projects?**

- A.** Employee and public safety supersedes all other Fire Management Program priorities.
- B.** The primary means by which we prevent accidents and injuries in prescribed fire operations is through risk management. We reduce risk through training, mitigating hazards, and using safety equipment and Personal Protective Equipment (PPE).
- C.** Employees performing fire management activities must:
  - (1) Adhere to fire management policies and procedures for safety, training, and equipment, including:
    - (a) [DM Part 620](#), Wildland Fire Management;
    - (b) [621 FW 1](#), Fire Management Program;



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**(1)** *For Partners projects using Federal funding*, before igniting a prescribed fire on non-Service lands, in addition to the grant or cooperative agreement, there must also be a private landowner agreement that the cooperator signs authorizing the use of prescribed fire.

**(2)** *For both Partners and Coastal Program projects using prescribed fire*, there must be a “hold harmless” agreement that the landowner signs. For the Partners Program, the “hold harmless” clause can be part of the private landowner agreement.

**D.** Prescribed fire management duties require specific technical qualifications and training.

**(1)** *Service employees working on non-Service lands:* All Service employees who are involved with planning or implementing prescribed fire on non-Service lands must meet Service qualification standards for their position as described in the current National Incident Management System Wildland Fire Qualification System Guide (PMS 310-1) and in Chapter 13 of the Service’s [Fire Management Handbook](#). Employees without appropriate wildland fire qualifications may discuss ecological reasons and benefits of prescribed fire, but they must refrain from discussing prescribed fire burn prescriptions and operational specifics.

**(2)** *Service employees working on Service lands under the Coastal Program:* On the rare occasion the Coastal Program funds a prescribed fire project on Service lands, a qualified burn boss must prepare a prescribed fire plan in writing and manage the burn.

**(a)** The minimum qualifications standards for a Federal prescribed fire burn boss are based on burn complexity level (i.e., RXB3-low complexity, RXB2-moderate complexity, and RXB1-high complexity). These qualifications are in PMS 310-1, the Federal Wildland Fire Qualifications Supplement, and Chapter 13 of the Service’s [Fire Management Handbook](#).

**(b)** State employees, local cooperators, and contractors conducting or participating in prescribed fires on Service lands must meet PMS 310-1 qualifications standards for the role they are filling on the prescribed burn.

**1.7 What are the expectations and requirements for implementing prescribed fire projects under these Programs?**

**A. Expectations:** Understanding expectations when supporting prescribed fire through the Partners and Coastal Programs is necessary to ensure employees are acting safely; in accordance with Federal, state, tribal, and local laws; and within the scope of their job positions and qualifications. Staff may establish substantial Service involvement in a project by participating in the planning and management of the larger habitat improvement project, of which prescribed fire may be a part. This collaboration is programmatic in nature and may provide benefits (e.g., technical expertise, specialized equipment, labor) that otherwise would be unavailable to the recipient. Financial assistance awards may be grants or cooperative agreements.

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**B. Implementation based on funding agreement type:** Implementation requirements depend on the funding instrument we use to award financial assistance funds to a recipient. While most Partners Program projects are funded as cooperative agreements, Coastal Program projects are usually funded through grants.

**(1) Cooperative Agreements:** Partners Program projects are primarily funded under cooperative agreements when the Service is substantially involved in the projects (see [640 FW 1](#)). The Coastal Program may also provide funding for such projects through cooperative agreements when there is Service substantial involvement. Substantial involvement is a relative rather than an absolute concept. The decision to enter into a cooperative agreement is based on the need for the Service's substantial involvement in the project after considering a variety of factors, including management, financial, and the technical needs of the recipient.

**(a)** Service employees may participate in prescribed fire implementation appropriate to their qualification level as their current incident qualifications (red card) indicate under the direction of a National Wildfire Coordinating Group (NWCG)-qualified prescribed fire burn boss (RXB3, RXB2, or RXB1).

**(b)** If an employee is not a Federal prescribed fire burn boss or trainee under a qualified burn boss, they must not write a prescribed fire plan, sign prescribed fire plans as the prescribed fire burn boss, or manage (i.e., direct personnel and equipment) a prescribed fire operation.

**(c)** Under a cooperative agreement, a Service employee may have substantial involvement in certain aspects of prescribed fire projects if they are documented in the notice of award or a signed private lands agreement. These activities include, but are not limited to:

**(i)** Participating and collaborating jointly in accordance with their qualifications under a NWCG qualified burn boss and job description with the recipient partner, volunteer, scientist, technician, or other personnel, to carry out the cooperative agreement scope of work for the overall project.

**(ii)** Ensuring that prescribed fire plan goals and objectives complement overall conservation goals and objectives for the project.

**(iii)** Having decision-making authority to stop prescribed fire plan preparation if anticipated conservation objective outcomes will not be reached.

**(iv)** Approving various stages of project development from site prioritization, site selection, and permit compliance.

**(v)** Providing cooperative agreement oversight, including post-fire monitoring of burn area response to assess vegetative species richness, burn severity (i.e., scorch heights, tree crown damage, etc.), wildlife diversity, and wildlife use.

**(d)** The Service's substantial involvement in cooperative agreements that include prescribed fire is often limited to overseeing biological elements of the project.



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typically fall under the jurisdiction of tribal, state, or local agencies/entities with fire management authority and responsibility.

**(a)** The entity carrying out the prescribed fire planning and implementation on non-Service lands under a grant award:

**(i)** Must comply with existing Federal, tribal, state, and local laws; and

**(ii)** Does not have to comply with NWCG Federal qualifications if the NWCG requirements are not in the affected tribal, state, or local laws.

**(b)** A recipient who plans and implements a prescribed fire project must meet state, tribal, and local qualification standards; obtain all necessary permits and authorizations; notify nearby residents and emergency response agencies about the coming burn; and adhere to smoke management guidelines for prescribed burns as identified in the notice of award or private landowner agreement, when applicable.

**1.8 What are the requirements for reporting prescribed fire accomplishments on non-Service lands?**

**A.** If a Service employee is substantially involved in a cooperative agreement project where a Partners or Coastal Program private landowner agreement has been signed, then the employee or his/her management must report any prescribed fire accomplishment as a habitat improvement in the Habitat Information Tracking System (HabITS) database.

**B.** If a grant recipient conducts prescribed fire activities under a grant agreement, or no Partners or Coastal Program private landowner agreement has been signed, then the employees involved may only count the prescribed fire accomplishment as technical help, and enter it into the Strategic Planning Module of the HabITS database.

**C.** Employees and managers who record prescribed fire accomplishment acres in HabITS must not record or report them as accomplishments in the National Fire Plan Operations and Reporting System (NFPORS).

/sgd/ Margaret Everson  
PRINCIPAL DEPUTY DIRECTOR

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