

INDIAN AFFAIRS MANUAL

1.1 Purpose. This chapter provides Bureau of Indian Affairs' (BIA) policy, authorities, and responsibilities for the Post-Wildfire Recovery (PWR) Program. The PWR Program implements post-wildfire recovery objectives by protecting lives, property, and resources while also restoring and maintaining healthy ecosystems through cost-effective post-wildfire management actions.

The PWR Program consists of four funding activities: Suppression Damage Repair, Emergency Stabilization (ES), Burned Area Rehabilitation (BAR), and Restoration. This chapter focuses on the ES and BAR components of post-wildfire management.

Although natural recovery is preferable, in some cases post-wildfire threats require appropriate actions to mitigate unacceptable risks. The purpose of ES is to identify imminent post-wildfire threats to human life, property, and to critical natural and cultural resources using the rapid assessment process, and take immediate actions as appropriate to manage unacceptable risks. The purpose of BAR is to reduce the risk of permanent resource damage and promote long-term restoration of the fire impacted landscape.

1.2 Scope. This policy applies to BIA programs and staff involved in post-wildfire recovery on Tribal and individually held trust and restricted Indian lands under BIA jurisdiction. This policy may also apply to entities carrying out activities on behalf of BIA under contracts or other agreements if expressly agreed to in the contracts or agreements, or if the requirement to abide by such policy is otherwise required by law. These entities may include contractors or Tribes operating through contracts issued pursuant to Public Law (P.L.) 93-638.

1.3 Policy. It is the policy of BIA to assess potential post-wildfire effects and determine the risks, both direct and indirect, to Tribes, communities, and resources, and to comply with all applicable federal, Tribal, state, and local environmental laws and regulations.

1.4 Authority.

A. Statutes and Regulations.

- 1) 25 CFR §163.28 (c), Fire management measures

B. Guidance.

- 1) 620 Departmental Manual (DM) 7, Post-Wildfire Recovery

C. Handbooks.

- 1) Interagency Burned Area Emergency Response Guidebook, February 2006

INDIAN AFFAIRS MANUAL

- 2) Interagency Burned Area Rehabilitation Guidebook, October 2006
- 3) Interagency Standards for Fire and Fire Aviation Operations (Red Book), current version
- 4) National Wildfire Coordination Group (NWCG) Standards for Fire Unmanned Aircraft Systems Operations (PMS 515), February 2019

1.5 Responsibilities.

- A. **Assistant Secretary - Indian Affairs (AS-IA)** is responsible for discharging the duties of the Secretary with the authority and direct responsibility to protect and preserve Indian trust assets.
- B. **Director, BIA** is responsible for discharging the duties of the AS-IA with the authority and direct responsibility to protect and preserve Indian trust assets.
- C. **Deputy Bureau Director (DBD), Field Operations, BIA** is responsible for determining and establishing Line Authority for program implementation through Regional Directors (RDs).
- D. **DBD, Office of Trust Services (OTS), BIA** is responsible for coordinating wildland fire management activities with other federal, state, and non-government fire protection agencies.
- E. **Chief, Division of Forestry & Wildland Fire Management (DFWFM), OTS** is responsible for providing overall direction to the BIA Wildland Fire Management program.
- F. **Chief, Branch of Wildland Fire Management (BWFM), DFWFM** is responsible for:
 - 1) designating an Assistant Director (Coordinator) PWR;
 - 2) acting as the approving authority for ES and/or BAR Plans over \$500,000; and
 - 3) fulfilling the responsibilities identified in chapter six of the Red Book.
- G. **Assistant Director (Coordinator), PWR** as directed by the Chief, BWFM, is responsible for:
 - 1) planning program development and providing program oversight, including annual reporting and review of policy implementation;

INDIAN AFFAIRS MANUAL

Part 90
Chapter 8

Wildland Fire Management
Post-Wildfire Recovery

Page 3

- 2) conducting periodic reviews to evaluate the consistency of program implementation among regions and identifying needs, including improved coordination and direction;
- 3) reviewing and recommending for approval to the Chief, BWFM, all plans submitted to the national office;
- 4) reviewing annual and final accomplishment reports; and
- 5) coordinating with other federal, state, Tribal, and non-government entities.

H. RD is responsible for:

- 1) approving ES and/or BAR plans from \$250,000-\$500,000; and
- 2) designating a collateral duty Regional PWR Program Coordinator position, and providing support and funding to administer the program.

I. Regional PWR Program Coordinator is responsible for:

- 1) reviewing ES and BAR plans produced by the agencies and/or Tribes in their regions;
- 2) recommending plans for approval to the appropriate approving authority; and
- 3) ensuring projects are entered and updated in the National Fire Plan Operations and Reporting System (NFPORS); and
- 4) Reviewing annual and final accomplishment reports.

J. Agency Superintendent is responsible for:

- 1) approving ES and/or BAR plans less than \$250,000;
- 2) requesting assistance through appropriate interagency channels when the post-wildfire response situation exceeds the capabilities of the agency's resources;
- 3) initiating, developing, and implementing approved post-fire activities for preventing unacceptable resource degradation, and to minimize threats to life or property resulting from wildfire;
- 4) initiating, developing, and implementing approved rehabilitation activities to protect and sustain ecosystems, public health, safety, and to help communities protect infrastructure; and
- 5) submitting annual accomplishment reports on open ES/BAR projects.

1.6 Definitions.

- A. Adaptive Management** is an iterative process for continually improving resource management policies and practices by learning from management outcomes and adjusting to new information and changes in context.
- B. Burned Area Emergency Response (BAER)** is the *response* to imminent post-wildfire threats to human life and safety, property, and critical natural or cultural resources. The BWFM assists in organizing BAER teams at the local, regional, and national levels.
- C. Burned Area Rehabilitation (BAR)** are the non-emergency efforts undertaken within five years following 21 days after the ignition date of a wildfire to repair or improve fire damaged lands which are unlikely to recover to management approved conditions; or to repair or replace minor facilities damaged by fire.
- D. Emergency Stabilization (ES)** is the emergency treatment(s) that minimize(s) threats to life or property, or stabilizes and prevents unacceptable degradation to natural and cultural resources resulting from the effects of a wildfire.
- E. Rapid Assessment Process** is the prompt identification of imminent post-wildfire threats to human life and safety, property, and critical natural or cultural resources, and the actions to manage unacceptable risks.
- F. Restoration** means the recovery and restoration efforts that continue beyond the initial five years following a wildfire, and are part of a long term management strategy funded by the local unit.
- G. Risk** means the potential danger as measured by the probability of damages or losses and the magnitude of the consequences.
- H. Suppression Damage Repair** is the planned actions taken to repair the damages to resources, lands, and facilities resulting from wildfire suppression actions (documented in the Incident Action Plan).

1.7 Standards, Requirements, and Procedures. This section identifies the standards and requirements that have general and continuing applicability to wildland fire activities under the jurisdiction of the AS-IA.

INDIAN AFFAIRS MANUAL

A. Standards.

The BIA will utilize the lowest cost, least intrusive, and minimum resource damaging methods to manage post-wildfire actions required to effectively mitigate actual damages or potential risks caused by wildfire.

B. Requirements.

Monitoring funding is contingent on providing both feedback in the adaptive management process and submitting reports (listed below in 1.8) which document the success or failure of treatments.

1.8 Reports and Forms.

A. Annual accomplishments reports will be submitted at the end of each fiscal year by the Agency Superintendent to the Regional PWR Program Coordinator and Assistant Director (Coordinator) PWR. Reports are due within 30 days of the close of the fiscal year. There is no specific template for the annual accomplishment report, but it must include: a description of what work was completed, including treatment maps and specifications; what work remains; costs incurred to date; results of treatment effectiveness monitoring (if applicable); and a summary of obstacles or issues that prevented the successful implementation of the project.

A final accomplishment report must be submitted upon completion of all treatments within a project (or when all funds have been expended). A project will be closed upon submission of the final accomplishment report.

B. Accomplishment descriptions (acres/miles/feet) and polygons must be updated in the NFPORS as completed. Status updates must be provided if the treatment has not been completed and is ongoing at the end of each fiscal year. Upon completion of a project, the database must be updated indicating final accomplishments and date of project closure. The URL to access NFPORS is <https://www.nfpors.gov/>

Approval



5/14/2020

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Date