

INDIAN AFFAIRS MANUAL

1.1 Purpose. The purpose of this chapter is to establish the Bureau of Indian Affairs' (BIA) policy and responsibilities related to the Fuels Management Program (FMP). The FMP was established to reduce the impact of wildfires on all Tribal lands (forests, woodlands, and rangeland), communities, and surrounding lands. Wildfire risks and post-wildfire damage are minimized by maintaining a healthy, fire resilient landscape through the removal or modification of vegetation, and limiting the spread and proliferation of invasive and non-native species and pathogens.

The FMP includes the following activities and sub-activities: fuels management project planning, implementation, and monitoring; the Reserved Treaty Rights Lands (RTRL) Program; and community assistance. Funding is authorized in these program areas for required planning activities, projects, supplemental funding requests, positions, crews, and employee development and training.

1.2 Scope. This policy applies to all BIA programs and staff involved in implementation of fuels management projects on Tribal and individually held trust and restricted Indian lands under BIA jurisdiction, and to RTRL projects conducted on other federal and non-federal lands funded through the BIA FMP. The policy and standards described in this document apply to all fuels management related activities regardless of funding source.

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. Compact Tribes may not be required to abide by the policies contained in this chapter (depending on individual compact language), but are encouraged to use BIA policy as guidance. Other federal agencies and programs that are involved in the administration of Indian forest resources are encouraged to ensure that the standards prescribed herein are met.

1.3 Policy. It is the policy of BIA to manage wildland fuels in an efficient and fiscally responsible manner to mitigate risks, both direct and indirect, to Tribes and communities, and to comply with all applicable federal, state, local, and Tribal environmental laws and regulations.

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1.4 Authority.

A. Statutes and Regulations.

- 1) 16 U.S.C. § 594, Protection of timber owned by United States from fire, disease, or insect ravages
- 2) 25 U.S.C. § 33, National Indian Forest Resources Management
- 3) P.L. 108-148, Healthy Forests Restoration Act of 2003
- 4) P.L. 108-278, Tribal Forest Protection Act
- 5) 25 CFR 163.28, Fire management measures

B. Guidance.

- 1) 620 Departmental Manual (DM) 6: Fuels Management
- 2) 53 IAM 1-11: Forestry
- 3) 90 IAM 1: Wildland Fire Management Overview and Responsibilities
- 4) The National Strategy: The Final Phase in the Development of the National Cohesive Wildland Fire Management Strategy, U.S. Department of Agriculture (USDA) and the Department of the Interior (DOI), April 2014

C. Handbooks.

- 1) 59 IAM 3-H: National Environmental Policy Act Guidebook
- 2) 90 IAM 1.4 C (2)a-H: Fuels Management Program Planning and Implementation Guide, December 2008
- 3) 90 IAM 5-H: Wildfire Prevention Program Handbook, December 2018
- 4) Fuels Management Program: Business Rules Handbook, July 2008

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- 5) Interagency Standards for Fire and Fire Aviation Operations (Red Book), current version
- 6) DOI Administratively Determined (AD) Pay Plan for Emergency Workers (AD Pay Plan), current version
- 7) Review and Update of the 1995 Federal Wildland Fire Management Policy, 2001
- 8) Guidance for Implementation of Federal Wildland Fire Management Policy, February 2009
- 9) BIA Fuels Management Program Supplement to the Interagency Prescribed Fire Planning and Implementation Procedures Reference Guide, December 2008
- 10) Reserved Treaty Rights Lands Plan, April 2015

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 (DBIA)** is responsible for:
 - 1) adopting and establishing policies to implement the Bureau's FMP;
 - 2) ensuring compliance and capacity to comply with statutes, regulations, BIA policy, and DOI policy applicable to the implementation of fuels management practices;
 - 3) representing, or designating a representative for, the BIA on the Interior Fire Executive (IFEC) committee; and
 - 4) establishing national fuels management policy for Indian Country.
- C. **Deputy Bureau Director (DBD), Field Operations, BIA** is responsible for:
 - 1) assigning priority to FMPs, and supporting budget and staffing to complete fuels management projects;
 - 2) ensuring consistent implementation of national fuels management policy; and
 - 3) determining and establishing Line Authority for program implementation.

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D. Regional Director (RD) is responsible for:

- 1) overseeing and implementing the regional FMP;
- 2) approving all initiation or continuance of prescribed fire burn or wildland fire use plans at National Fire Preparedness Planning Level 4 and 5;
- 3) ensuring all prescribed fire plans meet the interagency standards and requirements for prescribed fire planning;
- 4) ensuring all fuels management monitoring and reporting requirements are met;
- 5) ensuring prescribed fire plans receive the appropriate level of technical peer review by the Bureau, Tribe, or other federal agency personnel independent of the preparation of the prescribed burn plan;
- 6) ensuring all prescribed fires are planned and implemented by qualified personnel only and in accordance with an approved prescribed fire implementation plan;
- 7) ensuring that all escaped prescribed fires and prescribed fires that result in serious injury, fatality, or resource or property damage are reviewed and/or investigated in accordance with established policy, standards, and guidelines;
- 8) preparing appropriate memoranda of agreement when prescribed fires involve multiple jurisdictions and ownerships;
- 9) providing direction for cooperative agreements, self-determination contracts, and self-governance compacts with Tribes for FMPs as needed;
- 10) ensuring a region-wide risk-based fuels funding process is developed, implemented, and updated;
- 11) approving long term risk based fuels management plans;
- 12) negotiating Tribal contracts and/or agreements to meet BIA policy, standards, requirements, and guidelines for FMPs; and
- 13) implementing Bureau training and workforce development strategies and guidelines.

E. Regional Fuels Specialist is responsible for:

- 1) providing leadership and support to BIA agency and Tribal FMPs;
- 2) maintaining fiscal accountability of the FMP(s) within the region;
- 3) developing and maintaining a regional risk-based funding allocation process;
- 4) reviewing and approving project proposals and supplemental funding requests;

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- 5) prioritizing fuels management position hiring;
- 6) verifying that all required fuels planning, monitoring, and reporting are completed by established deadlines;
- 7) preparing, requesting, overseeing, and reviewing BIA agency, Tribal, and regional fuels program budgets;
- 8) providing FMP oversight and technical assistance;
- 9) interpreting fuels management policy at the regional level;
- 10) evaluating program performance and collaboratively determining regional fuels management needs and priorities;
- 11) reviewing and providing guidance and technical assistance in the development of projects and treatment plans;
- 12) conducting reviews of BIA agency and Tribal FMPs;
- 13) providing oversight and guidance for escaped fire reviews and investigations; and
- 14) coordinating prescribed fire and fuels management training;

F. Agency Superintendent is responsible for:

- 1) ensuring fuels management policy, standards, and guidance are adhered to;
- 2) conducting reviews on escaped prescribed fires and prescribed fires that are declared wildfires that results in resource or property damage;
- 3) reviewing and approving fuels treatment activities, plans, and agreements in accordance with established policy, standards, and guidelines;
- 4) providing management and supervision of personnel to ensure that fuels management goals and objectives are being achieved;
- 5) authorizing the hiring of AD emergency workers in accordance with the AD Pay Plan;
- 6) ensuring FMP funding is managed to reduce carryover below one-half of one percent; and
- 7) negotiating Tribal contracts and/or agreements to meet BIA policy, standards, requirements, and guidelines for FMPs.

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G. DBD, Office of Trust Services (OTS) is responsible for:

- 1) implementing the current federal wildland fire management policies;
- 2) reviewing and recommending national fuels management policy for Indian Country;
- 3) coordinating fuels management activities among and between OTS programs;
- 4) coordinating with Division Directors to ensure consistent implementation of wildland fire fuels management policies; and
- 5) representing the BIA, as designated, on the IFEC committee.

H. Chief, Division of Forestry and Wildland Fire Management, OTS is responsible for providing coordination, management, planning, oversight, and monitoring for all activities related to development and protection of trust forest resources, including the National Wildland Fire Program.

I. Chief, Branch of Wildland Fire Management (BWFM), OTS is responsible for:

- 1) recommending policies, standards, and guidance to the DBIA on the use of prescribed fire and fuels management to achieve fuels management and resource management objectives;
- 2) developing FMP position competencies, standards, and minimum qualifications based on federal interagency standards;
- 3) representing the interests of BIA fuels management at the national level with interagency partners and other government and non-government agencies;
- 4) making determinations on national funding levels and recommending approval to the DBD, OTS based on the guiding principles in the Federal Fire Policy, National Fire Plan, supporting documents, and Secretarial directives.

J. Director, FMP, BWFM is responsible for:

- 1) developing and/or updating national strategies that improve delivery of fuels management services to Tribes;
- 2) developing and recommending national funding levels to the Chief, BWFM based on the guiding principles in the Federal Fire Policy, National Fire Plan, supporting documents, and Secretarial directives;
- 3) recommending policies, standards, and guidance for the use of prescribed fire and fuels management to achieve fuels management and resource management objectives;

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- 4) representing the interests of BIA fuels management at the national level with interagency partners and other government and non-government agencies;
- 5) interpreting Departmental program policy and providing fiscal direction for the FMP;
- 6) providing comprehensive FMP direction, oversight, and guidance;
- 7) utilizing a risk-based approach to prioritize and determine regional fuels programs' funding levels;
- 8) reviewing and recommending funding for prevention, community assistance, supplemental, and Burned Area Emergency Rehabilitation requests;
- 9) prioritizing and approving FMP new and vacant positions funding;
- 10) determining appropriate job series and GS level for fuels program related positions;
- 11) prioritizing the use and development of new technologies that advance fuels management services to Tribes;
- 12) establishing minimum standards for fuels management operations, implementation, evaluation, and fiscal reporting;
- 13) reviewing and evaluating regional FMPs to ensure regions meet policy and standards;
- 14) facilitating and coordinating interagency fuels management initiatives;
- 15) developing strategy and guidelines for recruiting, retaining, and training a fuels management workforce; and
- 16) establishing rolling stock purchase and replacement standards and schedule.

1.6 Definitions.

Definitions related to fuels management are documented in the corresponding handbook, Fuels Management Program: Business Rule Handbook, July 2008. This handbook is located here: <https://www.bia.gov/policy-forms/handbooks>

1.7 Standards, Requirements, and Procedures.

Fuels management is conducted in an interdisciplinary and collaborative approach with Tribes and other federal, state, and local partners. Specifically, fuels management practices are aligned with Tribal priorities, goals, and objectives. Fuels management planning and

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implementation is based on current science and best-management practices while ensuring all environmental compliance requirements are met.

In order to facilitate consistency and ensure the goals of the FMP are met, the BIA established the following standards, requirements, and procedures:

A. Standards

- 1) All National Wildfire Coordinating Group (NWCG) standards and guidance pertaining to wildland fire management will be followed.
- 2) FMP priorities will be based on a landscape level Tribally influenced risk-based assessment.
- 3) Funded fuels treatments will be monitored consistent with the guidance provided in the pertinent fuels management handbooks and standards.
- 4) FMP projects will be strategically designed to connect past, current, and future projects, wildland fire, and active management resource work.
- 5) Training and workforce development will be designed to meet program needs.
- 6) Prior year carryover will be deducted from current year regional project planning budget totals.
- 7) Approved supplemental funding requests will be funded from regional project budgets.
- 8) Bureau and Tribal fuels crews will consist of no less than five (5) and no more than 20 individuals per crew.
- 9) RTRL program must follow the guidance established in the RTRL Plan, current version.
- 10) RTRL program project may not exceed four (4) years total time required to fully implement a proposal unless approved by the Director, FMP.
- 11) RTRL project proposal may not exceed \$1,000,000 in RTRL total funding unless approved by the Director, FMP.

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- 12) Approved RTRL projects will follow the standards established for all approved fuels management projects.
- 13) Public education and communication should be included in the planning and implementation of FMPs.

B. Requirements and Procedures

- 1) Tribal priorities for FMPs will be identified and integrated with other land management practices to meet Tribal and BIA goals and objectives.
- 2) Fuels management projects will be strategically planned, prioritized, implemented, and evaluated to meet Tribal and BIA objectives.
- 3) Regional risk assessments will be annually evaluated and updated based on regional determination or by Director, FMP request.
- 4) Fuels management projects will be designed and implemented to support the National Cohesive Wildland Fire Management Strategy, Executive Orders (EO), Secretarial Orders (SO), and Administration and Tribal priorities and principles.
- 5) Fuels management projects will be planned and implemented in an interdisciplinary and collaborative manner with Tribes, and other federal, state, and local partners when project goals are compatible.
- 6) Fuels management planning will be integrated with land management planning inclusive of Forest Management Plans, Rangeland and Woodlands Plans, Fire Management Plans, and other natural resource plans to enable fuels treatments to:
 - a. restore and maintain healthy ecosystems;
 - b. result in reductions of both naturally occurring fuels and fuel accumulations from resource active management actions;
 - c. reduce spread, intensity, and/or severity of wildfires; and
 - d. demonstrate avoided cost potential, overall cost effectiveness, or return on investment.
- 7) Position funding may only be used for an approved full-time equivalent (FTE) position unless otherwise authorized by the Director, FMP.

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- 8) Programmatic position funding may not be used to fund AD payroll. ADs may only be funded with project funding.
- 9) Funding may not be reallocated from the original allocation or distribution intent without Director, FMP approval.
- 10) Vacant positions will be prioritized by regions and approved by the Director, FMP prior to filling.
- 11) Vacant positions will not be funded until filled.
- 12) Eighty percent (80%) or more of fuels management staff time must be attributed to fuels management responsibilities.
- 13) Any capitalized equipment purchases must be approved by the Director, FMP prior to purchasing.
- 14) RTRL annual project summaries are required for each approved and funded project proposal in order to continue to receive funding and to be considered for future project proposals.
- 15) Community assistance proposals are approved by the Regional Fuels Specialist.
- 16) Community Wildfire Protection Plans or equivalents are required for fuels projects in order to be considered for funding.
- 17) Community assistance proposals should be submitted to the assigned Regional Wildland Urban Interface/Prevention Specialist for review and concurrence to ensure program compliance and avoid duplication of efforts.

Additional standards, requirements, and procedures are further detailed in the Fuels Management Program: Business Rule Handbook, July 2008.

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1.8 Reports and Forms.

Annual supplemental narratives are required for each approved and funded Departmental level project proposal in order to continue to receive funding and to be considered for future Departmental project proposals.

Approval

Darryl LaCounte Digitally signed by Darryl LaCounte
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8/28/2020

Darryl LaCounte
Director, Bureau of Indian Affairs

Date