



Natural Resources Conservation Service

## National Range and Pasture Handbook Wisconsin Supplement to Appendix A NRCS Policy on Prescribed Burning

Wisconsin NRCS supports and encourages the use of prescribed burning on any lands, where appropriate, to meet specific resource management objectives. The Prescribed Burning Conservation Practice Standard (338) in Section IV of the Wisconsin Field Office Technical Guide contains the information necessary to plan and conduct a prescribed burn. Wisconsin NRCS encourages the use of non-NRCS resources and third parties to plan and implement prescribed burns.

### Background

Increasing interest in planting and managing native grasses and forbs has led to greater opportunities for using fire to manage, enhance, and restore pastures, hayland, and native habitats such as prairies, savannas, barrens, and herbaceous wetlands. The NRCS national policy for prescribed burning is located in the National Range and Pasture Handbook. NRCS General Manual, Title 190, Part 413 - Prescribed Burning, issued in September 2003, established the requirements for NRCS employees involved in the planning and implementation of prescribed burning. This supplement reflects Wisconsin's revised policy related to prescribed burning.

### Role of NRCS in Prescribed Burning

National policy states that the NRCS State Conservationist is responsible for providing adequate training for employees involved with prescribed burning activities. States are to develop job approval authority criteria and ensure that employees act within their training and certification levels.

The role of Wisconsin NRCS in prescribed burning is to:

- inform landowners of the benefits and limitations of prescribed burning as a management alternative during conservation planning, and

- develop or review prescribed burn plans prepared by others with an emphasis on "safety."

### NRCS Employee Liability

Employees acting in accordance with all Federal, 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 should be referred to the State Administrative Officer.

### Wisconsin Policy

- Safety will be the first consideration when planning or implementing a prescribed burn.
- Only trained and qualified personnel with the appropriate job approval authority are authorized to provide technical assistance in planning or implementing Wisconsin Practice Standard 338, Prescribed Burning.
- When NRCS is involved in making prescribed burning recommendations, a detailed burn plan will be prepared in accordance with the Prescribed Burning Practice Standard (338).
- NRCS will prepare or review prescribed burn plans prepared by others where the practice is being applied to land enrolled in a USDA program that NRCS has been assigned technical oversight or on land where a current conservation plan documents the need for prescribed burning.
- Prescribed Fire Practitioners who have been recognized to be following an approved burn plan format which meets NRCS policy and the 338 Standard may be accepted without review. The prescribed burn plan will adhere to all Federal, tribal, state, and local laws and the Clean Air Act.
- The landowner or operator must acknowledge their liability, or be informed in writing (send letter by certified mail, return

receipt requested) of possible liability for damages if the fire escapes, smoke damage occurs, accidents caused by poor visibility occur, or other damages occur as a result of the prescribed burn. A Wisconsin NRCS burn plan or a conservation plan with prescribed fire as a component with the associated language signed by the landowner will serve as their acceptance of liability.

- NRCS employees with any level of prescribed burning job approval, and their supervisor's permission, may participate in implementing prescribed burns only if wearing approved personal safety equipment. NRCS employees shall not serve as the burn boss and shall not ignite the fire.
- For training purposes, NRCS employees, with the approval of their supervisor, may assist in the planning and implementation of prescribed burns with Prescribed Fire Practitioners, i.e., U. S. Fish and Wildlife Service, Wisconsin Department of Natural Resources, Pheasants Forever, The Prairie Enthusiasts, The Nature Conservancy, etc.

### **Job Approval Level**

NRCS employees seeking prescribed burning job approval shall submit an application (Exhibit B) containing the supporting documentation outlined below to the State Conservationist or designee for evaluation.

Job approval authority may be granted to employees who have documented evidence of previous training or experience outside of NRCS that is equivalent or exceeds NRCS prescribed burning training requirements, e.g., National Wildfire Coordinating Group (NWCG) courses.

A designated resource conservationist will determine an employee's job approval authority for prescribed burning based on documented training, experience, and an in-field evaluation. An employee's prescribed burning job approval records will be maintained in their conservation planning certification file. A job approval list will be maintained in the NRCS State and Area Offices and posted on the Wisconsin NRCS website.

Wisconsin has three job approval levels for prescribed burning. They are:

**Level I** – Authorized to discuss the benefits and limitations of prescribed burning as a conservation management tool with the NRCS client where necessary to address identified resource concerns and to meet client objectives. The employee is authorized to develop a Conservation Plan containing prescribed burning.

To receive Level I job approval authority, an employee must successfully participate in 16 hours of formal NRCS prescribed burning training (National Employee Development Center [NEDC] 000046-Prescribed Burning), or the equivalent (e.g., Aldo Leopold Foundation or International Crane Foundation 2-day courses). The training shall address fire behavior and ecology, fire safety, fire effects on wildlife, soils, hydrology, and vegetation response. The training must include at least one field training burn. To receive Level I prescribed burning job approval, the employee must demonstrate knowledge of prescribed burning including the benefits, purpose, objectives, and safety considerations. The employee must also demonstrate good judgment by recognizing potential safety risks during the planning and implementation of prescribed burning.

To maintain Level I prescribed burning job approval authority, sixteen hours of continuing education training related to fire behavior, burn safety, and fire ecology must be taken every five years.

**Level II** – Authorized to review a prescribed burning plan for Class II Activity burns (Exhibit A), per Wisconsin Practice Standard 338. The prescribed burn plan must contain the following as a minimum:

- location of the burn and fire breaks (include type and size);
- resource management objectives;
- safety considerations evaluated during planning of the burn (identify roads, buildings, utilities, etc., on air photo);

- pre-burn evaluation of the vegetation and description of the planned burn area;
- prescription for weather conditions required to conduct the burn;
- description of the burning methods to be used;
- description of pre-burn preparation;
- documentation of any required permits;
- personal safety equipment requirements and fire control equipment that will be at the site or on stand-by during the burn;
- firing sequence of area to be burned;
- job assignments and description of responsibilities (safety plan);
- summary of notifications required prior to ignition of the prescribed burn (local fire department, neighbors, local airport, etc.);
- post-burn evaluation/mop-up and management; and
- written notification to the landowner or operator (or acknowledgement by the landowner) of liability if damages occur.

To receive Wisconsin NRCS Level II Prescribed Burning Job Approval authority, the employee must meet the requirements for Wisconsin NRCS Level I Prescribed Burning Job Approval and must have successfully demonstrated an understanding of NRCS fire policy either through completing one of the NEDC prescribed fire training courses (000047-Short Grasses, 000048-Shrub/Grass, 000049-Tall Grass, or 000161-Savanna) or by completing the NWCG equivalent (S130-Firefighter Training, S190-Introduction to Wildland Fire Behavior, I100-ICS Orientation, L180-Human Factors on the Fireline) and successfully passing the NRCS policy exam. The employee must participate in three additional prescribed burns and review three burn plans under the supervision of an individual with Wisconsin NRCS Level II or Level III Prescribed Burning Job Approval.

For those on the NWCG track, S234-Ignition Operations and S290-Intermediate Wildland Fire Behavior, is recommended but not required. NEDC prescribed burning courses are recommended because they focus on NRCS

policy and vegetation management. However, it is recognized that appropriate NWCG courses can substitute for NEDC training and NWCG courses are required to achieve Level III.

To maintain Level II Prescribed Burning Job Approval authority the employee must participate in a prescribed burn and review an approved burn plan at least twice every two years, receive sixteen hours of continuing education training every five years, and must have demonstrated good judgment, knowledge, and skills related to planning and participating in prescribed burning.

**Level III** – Authorized to develop a prescribed burning plan for Class II or III Activity burns (Exhibit A), per Wisconsin Practice Standard 338. The employee is authorized to review a prescribed burning plan for Class III Activity burns, per Wisconsin Practice Standard 338. The employee is authorized to serve as a burn crewmember, with their supervisor's approval and proper safety equipment.

To obtain Wisconsin NRCS Level III Prescribed Burning Job Approval authority, the employee must have: Wisconsin NRCS Level II Prescribed Burning Job Approval; successfully completed NWGC S290-Intermediate Fire Behavior and NWCG S234-Ignition Operations; review at least three Class III Activity burn plans under the supervision of an individual with Wisconsin NRCS Level III Prescribed Burning Job Approval (Exhibit A); develop one Class II burn plan and have participated as a burn crewmember on a minimum of six prescribed burns with various complexities, fuel types, and technical aspects. In addition, S390-Introduction to Fire Behavior Calculations and RX410-Smoke Management are recommended (if locally available) but not required.

To maintain Level III Prescribed Burning Job Approval authority the employee must participate in four prescribed burns and review at least three Class III burn plans every two years, receive sixteen hours of continuing education training every five years, and must have demonstrated good judgment, knowledge, and skills related to planning and participating in prescribed burning.

The Wisconsin NRCS policy is to encourage third party vendors and partners to implement prescribed burns. Therefore, only a limited number of NRCS employees statewide will be trained to this level.

Prescribed burning plans for Class IV Activity burns, or higher, may only be reviewed by the State Conservationist or designee.

Any NRCS employee who violates NRCS Prescribed Burning Policy will have their job approval authority revoked immediately. Also, any employee working outside of their scope of employment or job approval is NOT acting as an agent of NRCS.

Prescribed burning management plans are valid only for the area planned and for the burning season planned. If the landowner decides to change the location of the burn or is unable to burn during the prescribed timeframe, a new plan must be prepared prior to conducting the burn.

**Note:**

Participation in prescribed burns will typically be approved to address a training need or where other sources of prescribed burning assistance are limiting and failure to participate would result in the prescribed burn not being carried out. All Wisconsin NRCS prescribed burning technical assistance will be based on addressing a resource need identified in a supporting conservation plan.

Prescribed fire training opportunities and a listing of contractors are regularly updated on the Wisconsin Prescribed Fire Council website at: <http://www.prescribedfire.org>.

## Prescribed Burning Activity Classifications

### **Class I**—Conservation Planning Authority

Authority to use Wisconsin Practice Standard 338, Prescribed Burning, during conservation plan development as an applicable practice for:

- 1) reclamation of areas that have lost their inherent vegetation or habitat values, or
- 2) maintenance of vegetation or habitat values in the conservation planning process with landowners.

### **Class II**—Maintenance Burn

Size of area\*: Up to 40 acres.

Vegetation: Non-volatile\*\* herbaceous (<50% switchgrass) and woody species, including scattered (<10% cover) volatile\*\* woody species <4 feet tall.

Terrain: 6% slope or less.

Smoke management risks: No concentrated subdivisions, development, airports, and state or interstate highways within 1 mile.

### **Class III**—Maintenance Burn

Size of area\*: Up to 100 acres.

Vegetation: Herbaceous (>50% switchgrass, unless the stand is <5 acres), woody species, including scattered (<10% cover) volatile\*\* woody species >4 feet tall.

Terrain: 20% slope or less

Smoke management risks: No concentrated subdivisions, development, airports, and state or interstate highways within ½ mile.

### **Class IV**—Maintenance Burn

Size of area\*: Up to 200 acres.

Vegetation: Unrestricted.

Terrain: Unrestricted.

Smoke management risks: Unrestricted.

\* *Size of Area: Contiguous acres to be burned on a single management unit during the same growing season are considered to be one prescribed burn regardless of the number of individual segments into which the fire is divided. Total acres for any prescribed burn cannot exceed the Size of Area limits for the appropriate job classification.*

\*\* *Volatile species for Wisconsin are those that have a chemical make-up that causes them to be somewhat “explosive” during certain seasons and include all needle leaf trees (eastern red cedar, red & white pine, spruce, etc.) and fields containing >50% switchgrass.*