

New Mexico State Forestry Policies and Procedures

SECTION 8 – PRESCRIBED FIRE

8.1 OBJECTIVES

To ensure consistency in analyzing, planning, participation in, and the evaluation of prescribed fire activities in a safe, carefully controlled, and cost-effective manner as a means of achieving management objectives on private and state lands within New Mexico.

8.2 DEFINITION

A prescribed fire is a management ignited wildland fire where the fire behavior and fire characteristics are required to burn under specified conditions to attain planned fire treatment and resource management objectives. A written, approved prescribed fire plan must exist prior to ignition.

An escaped fire is a prescribed fire that escapes its contingency area and shall be treated as a wildfire and shall be reported as such. Review or approval of any prescribed fire plan by the appropriate agency does not exempt the landowner or operator from liabilities should the prescribed fire become a wildfire, especially in civil claims from adjacent landowners or entities. The appropriate agency may investigate an escaped fire and take legal action if warranted.

8.3 POLICY

The Division supports the application of prescribed fire as an integral tool in the management of New Mexico's forest resources and the protection of life and property in the wildland/urban interface. To support sound resource management of forested lands throughout the state, the Division may provide technical forest management assistance to state and private landowners in the development of land management plans, which may include recommendations for prescribed fire as an integral element of the plan.

8.4 RESPONSIBILITY

8.4.1 STATE FORESTER:

The State Forester supports the use of prescribed fire as a tool for forest management within the State of New Mexico as defined in this policy. The

State Forester may choose not to allow prescribed fire due to management objectives, landowner objectives, jurisdictional issues, or fire weather or fuels conditions.

8.4.2 RESOURCE PROTECTION BUREAU CHIEF:

The Resource Protection Bureau Chief may review prescribed fire plans in accordance to landowner's goals and objectives and approve amendments and revisions to the prescribed fire plan. The Resource Protection Bureau Chief may choose not to allow prescribed fire, if the Division has fire restrictions in place due to management objectives, landowner objectives, jurisdictional issues, or fire weather or fuels conditions.

8.4.3 DISTRICT FORESTER/UNIT LEADER:

District Foresters shall obtain the necessary input from appropriate staff specialists, including prescribed fire planners, to ensure the prescribed burn plan will meet management objectives.

8.4.4 DISTRICT FIRE MANAGEMENT OFFICER:

District Fire Management Officers may assist the landowner with technical information and give guidance in the preparation of prescribed burn plans to assure safety standards are met. District Fire Management Officers may review and make recommendations to meet resource management objectives. Division personnel who meet NWCG course requirements can develop burn plans for state owned lands.

8.5 PROCEDURES

8.5.1 STATE LANDS:

When requested, the Division may provide assistance to other state agencies to assist with prescribed fire on state lands. In order for the Division to provide assistance, the other state agency shall retain responsibility/liability for a prescribed fire conducted on its lands.

8.5.2 PRIVATE LANDS:

The Division may provide pre-planning and informational assistance to private landowners to observe prescribed fire. The Division may not provide personnel to assist landowners with prescribed burns.

8.5.3 FEDERAL LANDS, MUNICIPALITIES, AND OTHER POLITICAL SUBDIVISIONS OF THE STATE:

The Division may cooperate with agencies when training opportunities exist for Division personnel, and provide direct assistance to agencies as provided for in written agreements.

8.5.4 WILDLAND/URBAN INTERFACE AND MIXED OWNERSHIPS:

The Division may cooperate with federal agencies, municipalities, other political subdivisions, and landowners under a common plan that defines each entities roles and responsibilities.

RESPONSIBILITY:

The Division may provide planning and technical assistance in the development of fuel reduction projects.

8.6 PLAN REQUIREMENTS

8.6.1 PRESCRIBED FIRE:

Guidelines and the template for developing a prescribed fire burn plan can be found at <http://www.nifc.gov/fuels/direction/direction.html>. Prescribed fire burn plans must include the information on the smoke management plan located on the New Mexico Environment website under air quality www.nmenv.state.nm.us.

To preserve air quality, the Division shall conduct all burning in compliance with the Environmental Protection Agency, the New Mexico Environment Department's Smoke Management Plan, and the New Mexico Interagency Coordination Group's (NMICG) practices and guidelines. The Smoke Management Plan can be found on the New Mexico Environment Department website under air quality www.nmenv.state.nm.us. The NMICG's practices and guidelines can be found on the Southwest Area website <http://gacc.nifc.gov/swcc/> under the SWCG webpage.

8.7 EMPLOYEE COMPENSATION

8.7.1 OVERTIME:

The Division has no funding available to pay for overtime on prescribed fire activities, with the exception of IWC per the Master Partner Agreement 11-521-400-0192 between EMNRD and USFS Region 3.

8.7.2 COMPENSATORY TIME:

FLSA non-exempt Division personnel shall receive compensatory time at a rate of 1.5 times the hours worked if they have received their supervisor's prior approval (*EMNRD Policy and Procedure, OFS-106, Overtime Compensation*).

FLSA exempt Division personnel shall receive compensatory time at the rate of 1.0 times the hours worked if they have received their supervisor's prior approval (*EMNRD Policy and Procedure, OFS-106, Overtime Compensation*).

8.7.3 COST SHARE AGREEMENTS:

Only the State Forester may decide whether or not the Division enters into a cost share agreement.

8.8 USE OF EMERGENCY FIRE FIGHTERS

The Division may use emergency fire fighters for wildfire use fires with the Resource Protection Bureau Chief's authorization. The Division shall not use emergency fire fighters on prescribed fires unless they become escaped fires.

8.9 USE OF IWC CREWS

The Division may use IWC Crews on prescribed fire activities as defined in the IWC Manual.

8.10 SAFETY

The burn boss shall complete a job hazard analysis on all prescribed burns.

Division personnel shall always follow or mitigate the *10 Standard Fire Orders*, the *18 Situations that Shout Watch Out*, and *LCES*.

8.11 PRESCRIBED FIRE QUALIFICATIONS

Division personnel shall follow national guidelines in *Wildland Fire Qualification System Guide*