

# Chapter - 15 Burned Area Emergency Response and Rehabilitation Programs

## A. Introduction

### 1. Policy

- a. The Department of the Interior (DOI) Departmental Manual 620 DM, Chapter 3 and Indian Affairs Manual (IAM) Part 90 provides policy for managing emergency stabilization, rehabilitation, and restoration on Indian Trust lands following wildfires. Emergency stabilization, also known as Burned Area Emergency Response (BAER) and Burn Area Rehabilitation (BAR) activities are an integral part of wildfire incidents, but are planned, programmed, and funded separately from each other.

The objectives of the emergency stabilization and BAR programs are as follows:

- Emergency stabilization  
To determine the need for and to prescribe and implement emergency treatments to minimize threats to life or property or to stabilize and prevent further unacceptable degradation to natural and cultural resources from the effects of a wildfire. Natural recovery is preferable.
  - 1) The emergency stabilization program evaluates actual and potential post-fire impacts to human life, property, and critical cultural and natural resources.
  - 2) The emergency stabilization plan will specify only emergency stabilization treatments to be carried out within one year of containment of an unwanted wildfire. The Agency/Tribes will develop and implement cost-effective emergency stabilization plans to prevent or mitigate harmful impacts to affected resources on lands within the wildfire perimeter or potential impact area downstream from the burned areas in accordance with approved land management plans and applicable policies, standards, and all relevant federal, state, and local laws and regulations.
- BAR program  
To evaluate actual and potential long-term post-fire impacts to critical cultural and natural resources and identify those areas

unlikely to recover naturally from severe wildfire damage. To develop and implement cost-effective plans to emulate historical or pre-fire ecosystem structure, function, diversity, and dynamics consistent with approved land management plans, or if that is infeasible, then to restore or establish a healthy, stable ecosystem in which native species are well represented. To repair or replace minor facilities damaged by wildland fire.

- 1) The BAR program evaluates actual and potential long-term post-fire impacts to critical cultural and natural resources and to identify those areas unlikely to recover naturally from severe wildfire damage; and repair or replace wildfire damage to minor facilities.
- 2) The BAR plan will specify non-emergency treatments which meet approved land management plans to be carried out within three years of containment of an unwanted wildfire. The Agency/Tribes will develop and implement cost-effective BAR plans to emulate historical or pre-fire ecosystem structure, function, diversity, and dynamics consistent with approved land management plans or if that is infeasible, then to restore or establish a healthy, stable ecosystem in which native species are well represented.

The emergency stabilization and BAR policy implementation and guidance are found in the *Interagency Burned Area Emergency Response Guidebook* and *DOI Interagency Burned Area Rehabilitation Guidebook*, respectively. These guidebooks contain policy implementation, program standards, program administration, plan development, and plan implementation.

- b. Protection priorities are human life and safety and property and unique or critical/biological/cultural resources. If it becomes necessary to prioritize between property and unique or critical biological/cultural resources, this will be done based on relative values to be protected, commensurate with wildfire rehabilitation cost. All emergency stabilization and BAR plans and actions must reflect these priorities.
- c. The Agency Superintendent or Agency Administrator is responsible to direct and coordinate all management operations including developing and implementing emergency stabilization and BAR treatments/activities.
- d. Emergency stabilization planning activities will abide by guidance

found in the *Interagency Incident Business Management Handbook* and National Wildfire Coordinating Group (NWCG) memorandums.

- e. Documentation
  - Department Manual Part 620, Chapter 1 & 3.
  - Department Manual 516 Part 6, Appendix 4.
  - Indian Affairs Manual Part 90.
  - 25 CFR Section 163.28.
  - *Interagency Burned Area Emergency Response Guidebook*.
  - *DOI Interagency Burned Area Rehabilitation Guidebook*.
  - *Burned Area Emergency Response Team Standard Operations Guide*.
  - *Interagency Incident Business Management Handbook*.

## **2. Emergency Stabilization and BAR Plans**

- a. A plan is required for all burned areas needing emergency stabilization and/or BAR treatments/activities.
- b. Emergency stabilization and BAR plans will be consistent with approved land management plans.
- c. There will be separate plans for emergency stabilization and BAR.
- d. Each plan must contain:
  - A description of each treatment or activity.
  - A discussion demonstrating how the specifications are consistent and compatible with approved land use plans, and how the proposed treatments and activities are related to damage or changes caused by the wildfire.
  - An explanation of how a treatment or activity is reasonable and cost effective relative to the severity of the burn and submit a cost-risk analysis.
  - Provisions for monitoring and evaluation of treatments and activities (including criteria for measuring a successful treatment or activity) and techniques, and a procedure for collecting, archiving, and disseminating results.
  - Clear delineation of funding and responsibilities for implementation, operation, maintenance, monitoring, and evaluation throughout the entire life of the project, and criteria for determining failure of a treatment or activity.

### 3. Approvals

- a. The Agency Superintendent may approve plans up to \$250,000.
- b. The Regional Director may approve plans up to \$500,000.
- c. Plans obligating more than \$500,000 will be approved by the Bureau of Indian Affairs (BIA) Director, Branch of Fire Management, National Interagency Fire Center (NIFC).

National and Southwest BAER Coordinators will review all plans for technical compliance with emergency stabilization and BAR policy.

### 4. Funding

All emergency stabilization and BAR funding request must come from the Agency Superintendent to the Regional Director.

#### Emergency Stabilization

- a. Funding for emergency stabilization treatment/activities is provided under emergency fire management funding authorities. BAR treatment/activities is provided under wildland fire management funding authorities.
- b. All wildland fire funded personnel (except hazard fuels) will fund their base 8 hours from their base funding when working on wildfire suppression activity damage or emergency stabilization activities.
- c. All non-fire funded and hazard fuels personnel may charge their base 8 hours to emergency stabilization accounts when performing those work activities.
- d. Fire and non-fire funded personnel overtime hours will be charged to the emergency stabilization account.
- e. Administratively Determined (AD) personnel can be used on emergency stabilization projects.

#### Burned Area Rehabilitation

- a. All participants may fund their base 8 hours from BAR. BAR is a non-emergency activity, it is an unpredictable amount of unplanned work; however, careful planning should eliminate any need for overtime. If overtime is needed, overtime hours can be charged to BAR.

- b. AD personnel cannot be used on BAR projects.
- c. Emergency Equipment Rental Agreements cannot be used on BAR projects because BAR activities are not an emergency activity.
- d. For further information on overtime, hazard pay, and other personnel funding issues see *Interagency Incident Business Management Handbook*.

## 5. Time Frames

- a. The initial emergency stabilization plan must be submitted within seven calendar days after total containment of the wildfire. If additional time is needed, extensions may be negotiated with those having approval authority and a written justification will be submitted addressing the key issues of the emergency.
- b. The submittal of BAR plans often depends on the environment/landscape of the fire and the complexity; therefore when practical, initial submission of the BAR plan should be submitted by the end of the first fiscal year in order to be considered for funding in the next fiscal year. However, the time frame for funding is three years from the date of the containment of the wildfire.

## B. BAER Coordinators

### 1. National BAER Coordinator

Each lead federal firefighting agency has designated a National BAER Program Coordinator. They function under the direction of the Office of Wildland Fire Coordination (OWFC) and work as an interagency group. The National BAER coordinators conduct business as defined in the National Burned Area Emergency Stabilization and Rehabilitation Coordinators Charter.

- a. The BAER interagency group coordinates the following:
  - Program issues.
  - Implementation.
  - Training.
  - Oversight.
  - Sharing of information.
  - Evaluation.
  - Support, manage, and conduct overall performance review and

- evaluation for national BAER teams.
- Maintain and update the *Interagency Burned Area Emergency Response Guidebook and DOI Interagency Burned Area Rehabilitation Guidebook*.
- Develop and incorporate within the guide a common cost-effectiveness analysis for evaluating proposed actions and standard project accomplishment analysis for evaluating actions and a standard project accomplishment report format.
- Develop a mechanism for achieving and broadly disseminating the results of monitoring treatment effectiveness.

## **2. Southwest BAER Coordinator**

The Southwest BAER Coordinator serves the Southwest, Western, and Navajo Regions. The Southwest Coordinator has the same responsibilities as the National BAER coordinator for program guidance and oversight for these three Regions. The coordinator will review all emergency stabilization and BAR plans, amendments, and reports before the Regions submit documents to the BIA-NIFC office.

## **3. Regional Coordinators**

- a. Provide oversight and direction for the Regional BAER programs and are responsible for the following:
  - Responding to requests for emergency stabilization and BAR teams in a timely fashion.
  - Assisting Agencies/Tribes in resolving emergency stabilization and BAR issues and the implementation of on-going projects.
  - Coordinating all emergency stabilization and BAR projects as follows:
    - 1) Participates in the selection of contractors as necessary.
    - 2) Insures the contract specifications are carried out.
    - 3) Insures monitoring is appropriately done as per emergency stabilization and rehabilitation plan.
    - 4) Insures all safety requirements are met.
  - Provide for training of BAER team members.
  - Assist the BIA national BAER coordinator in setting priorities.
  - Advise the Agency Superintendents, Tribes and others of the status of on-going projects.
  - Prepare and submit amendments to existing emergency

- stabilization and BAR plans through proper channels.
  - Attend the closeout meeting between Regional/National BAER teams and the host unit.
- b. Participate in the formulation of emergency stabilization and BAR plans to ensure compliance with policy and operational procedures as follows:
- Function as a BAER team leader or member if so qualified.
  - Function as a BAER Implementation leader when requested.
  - Evaluate proposed treatments on technical merit.
  - Function as a liaison for interagency projects.
  - Ensure National Environmental Protection Act (NEPA) compliance.
  - Assure emergency stabilization and BAR treatments are ecologically sound and are supported by approved land management and/or fire management plans.
  - Ensure preparation of emergency stabilization and BAR plans meet policy time frames.
- c. Assist and provide oversight to project (implementation) team leaders as follows:
- Ensure projects are administered and managed effectively and completely.
  - Ensure that emergency stabilization and BAR treatment effectiveness is monitored, evaluated, and documents, with recommendations given.
  - Train BAER Implementation Leaders and contractors as to organizational and policy procedures.
- d. Maintains a budget tracking and accomplishment reporting system as follows:
- Request additional funding for amendments, upon review for compliance with policy and technical merit.
  - Monitor all official expenditure reports to insure funds are properly accounted for and no costs overruns occur.

- Reconcile budget items within Federal Finance System (FFS).
- Insures all emergency stabilization and BAR treatments/ activities are fully documented and reported in the approved format and within established time frames.
- Regions will submit consolidated carryover requests by Region by September 15 of each fiscal year, to the Director, Branch of Fire Management.
- Regions will submit the status report on uncompleted projects by September 15 of each fiscal year, to the Director, Branch of Fire Management.

#### **4. Implementation Leader**

On complex, long term, BAR treatments on a large wildfire, the emergency stabilization plan may recommend an Implementation Leader to implement the plan. This position should be dedicated to this project unless an Agency/Tribe experiences more than one fire and needs assistance to track projects for multipliable fires and submits a written justification. For the moderate to low complexity emergency stabilization and rehabilitation treatments on moderate to small fires, the Agency or Tribe should identify an implementation leader to implement the plan(s).

- a. The implementation leader is responsible for:
  - Logistics for implementation.
  - Organizing established position descriptions.
  - Communications and dispatch.
  - Air operations.
  - Contract specifications.
  - Ordering and logistics.
  - Field Oversight..
  - Coordination with agency structural implementation.
  - Contract inspection.
  - Budgeting and accounting.
  - Reports and record keeping.
  - Liaison with other federal and state agencies.
  - Public information.
  - Project Safety.



## C. Emergency Stabilization/Burned Area Rehabilitation Process

### 1. Process

- a. In order to initiate an emergency stabilization and/or BAR project, the following process is recommended:
  - Perform a BAER Complexity Analysis of the wildfire:
    - 1) Produce a burned area reflection classification (BARC) map.
    - 2) Determine acreage.
    - 3) Assess threats to humans, developments, and resources.
    - 4) Assess effects to vegetation types and resources values.
    - 5) Determine landowners and jurisdictions.
- b. Determine the size and complexity of the emergency stabilization/BAR planning team.
- c. Write a brief operations plan for the emergency stabilization/BAR planning team.
- d. Write an emergency stabilization and/or BAR plan.
- e. Select an Implementation Leader (either Agency or Tribal personnel or funded through plan).
- f. Implement emergency stabilization and BAR plan treatment specifications.
- g. Monitor and assess the emergency stabilization and BAR treatments/activities specifications implemented.
- h. Submit monitoring, interim, and final accomplishment reports.
- i. For a detailed reference in preparing plans and accomplishment reports, consult the *Interagency Burned Area Response Guidebook* and *DOI Interagency Burned Area Rehabilitation Guide*.

## D. BAER Teams

### 1. National Teams

The Department of the Interior has two national BAER Teams. The national BAER coordinators provide coordination and oversight for the teams. The teams are available for complex, multi-jurisdictional wildfires. Mobilization and demobilization of the teams are found in the *National Interagency Mobilization Guide*. The national BAER teams have Standard Operating Procedures (SOP) for team operations. The

national teams will take trainees on assignments to assist Regional/Agency/Tribal personnel develop the skills needed to meet the Regional and/or local needs or to become a member of a national/Regional/local team.

## **2. Regional/Local Teams**

Regions will develop Regional and/or local BAER Teams to meet their needs. These teams will assume the workload for the moderate to low complexity emergency stabilization projects. A Regional team make up may consist of personnel from the Region, Agency, Tribal, and/or other federal agencies. The Regional/local BAER teams will follow the same SOP as the national BAER teams.

## **E. Training**

National BAER Coordinators will develop and sponsor interagency training courses for resource advisors, BAER team leaders and members, and implementation leaders.

## **F. Process for Requesting Funds**

### **1. Project Funding Process**

- a. The Regions/Agencies will use the BIA Emergency Stabilization and Rehabilitation Request form to request emergency stabilization and BAR funding. Regions/Agencies will send this form to the BIA-National Interagency Fire Center (NIFC) office to establish new emergency stabilization and BAR projects and increase existing projects via a project amendment. This form should be completed immediately for emergency stabilization treatments that need to be implemented before an emergency stabilization plan is approved. This funding will be incorporated into the emergency stabilization plan and the approving level will be the value of the project at the time of submittal. All request for funding, should have a breakout of the emergency stabilization and rehabilitation funds on the funding request form.
- b. The emergency stabilization funds identified for a project will be one year from containment of the wildfire except that emergency stabilization funding may be used to repair or replace emergency stabilization structures or treatments for up to three years following

containment of a wildfire were failure to do so would imperil watershed functionality or result in serious loss of downstream values and for monitoring. However, emergency stabilization funding cannot be used to continue seeding, plantings, and invasive plant treatments beyond one year.

- c. BAR projects are competitively funded among all four DOI bureaus. Funding is limited so there is no guarantee that BAR treatments/activities will be funded. There is no Secretarial borrowing authority when funds are exhausted.
- d. BAR funds can only be provided three years from containment of the wildfire. Plans that request multi-year funding may not be funded each year. Funds will be given out on a yearly breakout as specified in the BAR plan and approved by the national BAER coordinators.
- e. The national DOI BAER coordinators will prioritize BAR treatments/activities to be funded based on the data in the National Fire Plan Operating and Reporting Systems (NFPORS). Therefore, all BAR plans must be entered into NFPORS to be eligible for funding. The national DOI BAER Coordinators will meet soon after a budget is appropriated at the beginning of a fiscal year to award funding for BAR treatments/activities. In order to be considered for funding during the initial round of distributions at the beginning of a fiscal year, BAR treatments/activities must be entered by September 30th of each year. The national DOI BAER coordinators will periodically review and distribute BAR funds as long as funds are available. The approval of a BAR plan does not guarantee treatments/activities will be funded. If funding is not available, the treatment/activity will be on the list for funding in the following fiscal years until the project has expired.
- f. Out year emergency stabilization funds are not made available without formal requests and approved accomplishment reports. The rehabilitation funds identified for a project will be three years from containment of the wildfire. Funds that cover three years will not be given out during the first year. Funds will be distributed on a yearly breakout as specified in the rehabilitation plan and approved by the national DOI BAER coordinators.
- g. Implementation Phase

The Agency Superintendent is responsible implementing the emergency stabilization/or rehabilitation project(s). The implementation phase for emergency stabilization activities may begin before the BAER plan is complete for those pre-approved activities identified in the *Interagency Burned Area Emergency*

*Response Guidebook and DOI Interagency Burn Area Rehabilitation Guidebook.* If this occurs, these pre-approved activities must be identified in the emergency stabilization/BAR plans. After a plan is approved, the Agency/Tribe should begin the implementation of the plan. The Agency/Tribe should identify an implementation leader to carry out the plan. This is essential to insure the specifications are completed as identified in the plan. The implementation phase for BAR treatments/activities may begin after the BAR plan is approved.

h. Program Account Structure

The funding program code for the emergency stabilization program is fund 92500 with a sub-activity 92320. The funding program code for the BAR program is fund 92610 with a sub-activity 92B2000. When the BIA-NIFC office receives a project request for funding from the Regions, the National BAER coordinator will request the BIA-NIFC Budget Officer to establish an emergency stabilization/ BAR accounts with a FireCode for emergency stabilization and BAR projects. After BAR treatments/activities are approved by the national DOI BAER coordinators. Once approved, the BIA national BAER Coordinator will submit the request for BAR funds. The BIA-NIFC Budget Officer will prepare the funding distribution documents to be signed by the Deputy Director, Trust Services.

## **G. Monitoring and Evaluation**

### **1. Responsibility**

Regions, Agencies, and Tribes will monitor BAER and BAR projects to assess if proposed treatments were properly implemented, if actual treatments were effective, and if additional treatments or maintenance are needed to make the project successful.

### **2. Report Requirements**

- a. Monitoring and evaluation of post fire treatments are critical for understanding and improving such treatments. The collection and dissemination of this information is an integral part of all post fire treatments. All emergency stabilization and BAR treatments/ activities for each project must be entered into NFPORS after each plan is approved. Completed treatments/activities must be entered into NFPORS on a periodic basis.

- b. An initial accomplishment report is required at the end of the fiscal year the project was initiated. A yearly or second accomplishment report is required at the end of the second fiscal year. A final accomplishment report is required at the end of the third year funding of a project. Failure to submit final accomplishment reports will curtail future BAR funding for the agency.
- c. Emergency stabilization and rehabilitation accounts are closed September 30th and accounts are not opened until accomplishment reports are submitted and approved by the appropriate approving line officer. Regions should submit carryover requests for emergency stabilization and BAR projects to the BIA-NIFC office by September 15<sup>th</sup> of each year.
- d. The format for the accomplishment reports can be found in the *Interagency Burned Area Emergency Guidebook* and *DOI Interagency Burned Area Rehabilitation Guidebook*. Reports should include pictures of before and after emergency stabilization and BAR treatments. All final emergency stabilization and BAR reports will be posted on the national BAER web site: <http://fire.r9.fws.gov/ifcc/esr/home.htm>

## H. Early Warning Flood/Evacuation System

Federal agencies should address flooding risks on Federal and Tribal Trust lands. Known flooding risks to non-Federal lands should be coordinated with appropriate local emergency management agency.

Coordination between federal, state and local agencies is essential. Early warning systems rain gauges, or satellite driven systems are often necessary to monitor rainfall amounts and intensity in moderate to high intensity burns in immediate proximity to values to be protected (highways, structures, etc).

The local emergency action agency is responsible for public evacuation planning, public notification, and evacuation on non-federal lands.

## I. Information Sharing

### 1. Responsibility

- a. The national BAER coordinators are responsible for sharing and

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disseminating information. This is accomplished through a national BAER web site at: <http://fire.r9.fws.gov/ifcc/esr/home.htm>. The website is maintained by the national BAER coordinators.

- b. This web site may include, but is not limited to:
- Emergency Stabilization and BAR Plans.
  - Emergency Stabilization and BAR Final Accomplishment Reports.
  - List of national BAER Coordinators.
  - *Interagency Burned Area Emergency Response Guidebook*.
  - *DOI Interagency Burned Area Rehabilitation Guidebook*.
  - National BAER Teams and members.
  - National BAER Team Standard of Operations and Qualifications.
  - BAER Training courses.
  - National Coordinators Charter.
  - Other BAER documents (Council of Environmental Quality).
  - BAER Technology.
  - Links.