

## POLICY

# Prescribed Burning

Policy Executive: .....Forestry Division Director  
Policy Owner:.....Fire Protection Section Manager, Forestry Division  
Policy Type: .....  Administrative       Operational       Interim  
Policy Number: .....Operational Order 47

**Intranet resource page:** [Wildland fire information](#) (includes prescribed burning information)

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## POLICY STATEMENT

The Department of Natural Resources (DNR) establishes and maintains a system for the coordination and oversight of prescribed burning as a resource management tool. This consists of a Statewide Prescribed Burn Committee and Regional Prescribed Burn Committees in each region. These bodies are comprised of geographical, divisional, and administrative level representation of knowledgeable persons involved in prescribed burning.

This policy guides and supports the DNR's use of prescribed burning to achieve natural resource management objectives. Department of Natural Resources divisions and programs may use prescribed burning as a tool for managing ecosystems.

All DNR prescribed burn projects must be implemented in compliance with a written plan. The DNR Prescribed Burn Handbook identifies the elements that must be included in a prescribed burn plan.

All personnel, including permanent and seasonal employees and volunteers, must meet certain training and experience requirements to be used on a prescribed burn. These requirements are described in the qualifications section of the DNR Prescribed Burn Handbook.

DNR funded prescribed burning contracts must require vendors and their employees to meet qualifications as described in the DNR Prescribed Burn Handbook or other identified policies.

This policy does not apply to burning of piles of natural vegetative material covered by existing permit requirements outside of this policy (Division of Forestry Policy DP-02).

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## REASON FOR POLICY

The Minnesota Department of Natural Resources protects and manages over 100 distinct natural plant communities throughout the state. Many of these plant communities are dependent on periodic burning in order to maintain or restore plant community structure and ecosystem function.

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## PROCEDURES

### PRESCRIBED BURN HANDBOOK

The DNR maintains a **Prescribed Burn Handbook** to provide additional guidelines, policies, procedures, and responsibilities for the implementation of this operational order.

### PRESCRIBED BURN UNIT PLAN

1. Each prescribed burn must be conducted under the guidance of a Prescribed Burn Unit Plan. The DNR division administering the property to be burned (or its designee) is responsible for ensuring that a plan is prepared by an accountable resource manager.
2. The plan writer is responsible for identifying and soliciting input in a timely manner from DNR disciplines, offices, and relevant parties who have a need to know about, or vested interest in the proposed use of prescribed burning in the management unit. This affords these parties the opportunity to provide the preparer information about natural resource considerations, community concerns, fire safety, and other issues that should be considered. Plans may be interdisciplinary efforts and may contain multiple burn units and/or cover multiple years.
3. Burn unit plans must be reviewed and signed by a Minnesota or National Wildfire Coordinating Group (NWCG) Burn Boss 1 or 2 qualified for the maximum complexity and fuel type indicated in the plan. Plans can receive additional review and approval as required by individual division policy.
4. Burn unit plans must be approved and signed by a divisional administrative position designated by each division. Approval authority assures that the plan has been prepared and reviewed by qualified personnel, is in accordance with resource management and operational objectives for the unit, and is consistent with this operational order and state and division policies where applicable.

### OPEN BURNING PERMITS (VARIANCES)

The administering discipline (or its designee) is responsible for obtaining an Open Burning Permit or Variance on Open Burning Permit.

### CONDUCTING THE BURN

#### Burn boss

The burn boss is responsible for:

- All activities relating to the on-site implementation of the burn according to the burn unit plan and related policies.
- Obtaining a burning permit activation on the day of the burn.
- Completing the Go/No Go checklist and the Unit Log section of the Prescribed Burn Unit Plan for each prescribed burn. Documentation related to the burn must be included in the permanent record of management activity for the site.
- Directing crew members on the prescribed burn.
- Conducting an After Action Review.

## **Incidents during a burn**

1. Any incidents that damage property, adversely affect the public, or result in injury must be promptly reported. Reference the DNR [Safety and Health Manual](#) and DNR Operational Order [105 Public Tort Claims Against DNR](#) for accident and incident reporting procedures.
2. Any DNR prescribed burn that results in a prescribed burn escape or other significant incident (as defined below) must be promptly reported to the burn boss's supervisor and the appropriate area forestry office. The area forestry office must ensure that an Individual Fire Report is prepared about the escape and necessary action is taken according to established policies.
3. All prescribed burn escapes or other significant incidents must be reported promptly to the Regional Prescribed Burn Committee. The committee initiates and conducts a review as described in the DNR Prescribed Burn Handbook. The review timeline and final report with lessons learned must be reported to the Statewide Prescribed Burn Committee.

## **ACCOMPLISHMENT REPORTING**

1. Each division assigns employees to prepare an annual summary of their division's prescribed burn accomplishments during the calendar year.
2. The Division of Forestry is responsible for compiling an annual, department-wide summary of prescribed burn accomplishments for the calendar year. These figures must be supplied to the Minnesota Pollution Control Agency to satisfy smoke management requirements.

## **BURNING NON-DNR LANDS**

The DNR may be involved in burning on non-DNR lands. When initiating and conducting burns on non-DNR lands, the responsible division must ensure that a Grant of Permission to Burn Lands Not Administered by the DNR (form NA-1973) is completed before the burn and retained with the records.

## **LIABILITY**

Liability for any damages resulting from the prescribed burn is the responsibility of the DNR division administering the burn project unless there is a previous agreement to share or transfer this responsibility. An agreement to share or transfer liability requires approval in writing from the appropriate regional or division managers.

## **MONITORING AND EVALUATION**

Each administering discipline is responsible for monitoring and evaluating the results of prescribed burns conducted by their personnel to determine the effectiveness of plan objectives.

## **TRAINING**

1. Each division is responsible for training and maintaining qualifications for its personnel. The Division of Forestry must maintain a centralized record keeping system for trained prescribed burn and wildfire personnel.

2. Prior to burning each year, all prescribed burn personnel must participate in an annual refresher/orientation session that includes the required elements of the NWCG Annual Fireline Safety Refresher Training (RT-130).
3. Former and retired employees may work on a burn as a volunteer in a position up to and including the position for which they are qualified and current except for positions (such as burn boss) that require the supervision of DNR employees. Volunteers cannot supervise DNR employees (reference Minn. Stat. secs. 84.089, subd. 3, and 179A.10, subd. 2). The division utilizing volunteers is responsible for confirming qualifications and that the volunteers have taken the Annual Fireline Safety Refresher Training (RT-130).
4. To a limited extent, people (e.g. volunteers, Sentence to Serve program, new employees, etc.) may work on a burn as a Fire Fighter Trainee (FFTT). FFTTs must have received training that includes the required elements of the Annual Fireline Safety Refresher Training (RT-130), be appropriately equipped and have received orientation on the use of personal protective equipment before the burn begins. They can work only under the direct oral and visual control and supervision of a crew member qualified at FFT2 or higher.

## **PERSONAL SAFETY AND FITNESS REQUIREMENTS**

1. All participants on a prescribed burn must use appropriate safety clothing and equipment as listed in the DNR Prescribed Burn Handbook.
2. Physical fitness requirements under Operational Order 133 Fitness Requirements for Wildfire and Prescribed Burn Operations apply to the implementation of this operational order.
3. Employees are responsible for informing their supervisor, incident commander, or burn boss of any condition that may limit them in performing a job on a prescribed burn. In addition, it is the responsibility of the employee's supervisor, incident commander, or the burn boss to take preventative action in situations where an employee appears physically incapable of performing work without risk of injury to the employee's crew members or themselves.

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## **RESPONSIBILITIES**

**Deputy commissioner** reviews and monitors the DNR's overall compliance with this operational order, with input from regional and division directors.

**Division directors** direct implementation of the operational order, and direct the implementation of the policies and protocols within the DNR Prescribed Burn Handbook. Divisions may develop additional policies or guidelines that meet or exceed those in the DNR Prescribed Burn Handbook.

**Regional directors** work with regional managers to ensure compliance with this operational order.

**Operations managers** are responsible for communicating the requirements of this operational order to supervisors and employees. Operations managers are responsible for overseeing the development of statewide guidelines and their revisions. Operations managers ensure that employees receive appropriate training and equipment to meet the guidelines.

**Managers and supervisors** ensure that all division personnel that they supervise implement activities consistent with this operational order and division guidelines. Managers and supervisors are responsible for incorporating necessary language into leases/contracts/cooperative agreements, and for communicating appropriate actions and requirements to any lessees or cooperators.

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## CONTACTS

Subject	Contact	Phone	Email
General contact	Paul Lundgren, Fire Protection Section Manager	218-322-2718	<a href="#">Paul Lundgren</a> <a href="mailto:Paul.Lundgren@state.mn.us">Paul.Lundgren@state.mn.us</a>
Technical contacts	Statewide Prescribed Burn Committee Divisions of Forestry, Fish & Wildlife, Parks & Trails, and Ecological & Water Resources		<a href="#">Statewide Prescribed Burn Committee</a> <a href="http://www.dnr.state.mn.us/rxfire/committee_statewide.html">http://www.dnr.state.mn.us/rxfire/committee_statewide.html</a>

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## DEFINITIONS

**Prescribed burn:** a fire that is intentionally ignited, managed, and controlled by an entity meeting certification requirements established by the commissioner for the purpose of managing vegetation.

**Prescribed Burn Unit Plan:** a written document that provides the burn boss all the information needed to implement the prescribed burn in a safe and effective manner.

**Burn plan preparer:** the individual responsible for preparing the prescribed burn unit plan. This individual should be an accountable resource manager trained and experienced in prescribed burn operations, fire behavior, and the unit of land proposed to be burned.

**Burn boss:** the individual responsible for implementing the prescribed burn per the prescribed burn unit plan, obtaining burn permit activation, completing the Go/No Go checklist, directing crew members working on the prescribed burn, conducting an after action review, and completing the prescribed burn log section of the burn plan.

**Approval authority:** the administrative individual within each division responsible for assuring that the prescribed burn plan was written and reviewed by qualified persons; the plan is in accordance with unit resource management and operational plans and objectives; and it is consistent with this operational order and state and division guidelines.

**Open Burning Permit:** a permit issued for open burning as allowed in Minnesota Statute 88.17 PERMISSION TO START FIRES.

**Variance Burning Permit:** an open burning permit issued to allow burning during periods outside of standard permit hours or when open burning restrictions are in place. Variance permits may be issued for circumstances

such as prescribed fire projects, approved agricultural practices, construction projects, or economic hardship situations.

**Prescribed burn escape or other significant incident:**

A prescribed burn becomes a wildfire when the burn boss determines that an escape has or is likely to occur.

- **It is considered an “escape” when one or more of the below conditions occur:**
  - Fire is outside of the planned perimeter of the prescribed burn that requires suppression resources beyond those identified and under the command and control of the burn boss as a contingency resource either on or off-site.
  - Fire is outside the planned perimeter of the prescribed burn that burns onto another ownership where the landowner has not given permission to burn.
  
- **A “significant incident” (also known as an “incident within an incident”) is defined as when one or more of the following conditions associated with the prescribed burn occur:**
  - **The prescribed burn escape as described above.**
  - There is structure or equipment damage or loss (due to prescribed fire operations) regardless of ownership including those used in the project (such as ATVs, farm equipment, buildings, etc.).
  - The potential for a tort claim against the state exists that may be due to damage from the fire or some related activity such as a traffic accident, aircraft incident, etc.
  - A crew member sustains an injury that requires significant medical assistance (such as hospitalization, emergency care, medivac, or ambulance transport).

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## REFERENCE ITEMS

### RELATED AUTHORITIES

Minnesota Statutes, section 88.01 Definitions

Minnesota Statutes, section 88.16 Starting and Reporting Fires

Minnesota Statutes, section 88.17 Permission to Start Fires

Minnesota Statutes, section 88.22 Wildfire Prevention; Prohibitions, Banning; Penalties.

Minnesota Statutes, section 84.0895 Protection of Threatened and Endangered Species

### RELATED POLICIES AND PROCEDURES

#### DNR procedure manuals

Minnesota DNR Prescribed Burn Handbook

Wildfire Reporting and Status System Instruction Manual (or replacement)

Minnesota DNR Preparedness and Response Guide

Minnesota DNR Open Burning Permit System Manual

#### DNR operational orders

Operational Order 133 Fitness Requirements for Wildfire and Prescribed Fire Operations

Operational Order 105 Public Tort Claims Against DNR

Operational Order 96 Department of Natural Resources Safety Program

Operational Order 77 Wildfire Investigation Teams  
Operational Order 94 Employees with Limited Natural Resource Law Enforcement Authority

**Other Minnesota procedures references**

MNICS Mobilization Guide  
Fire Wardens' Handbook  
Minnesota DNR Fitness Testing Handbook  
Minnesota DNR Safety and Health Manual  
Minnesota Smoke Management Plan

**FORMS/INSTRUCTIONS**

Prescribed Burn Unit Plan/Prescribed Burn Unit Log (NA-01990-04)  
Grant of Permission to Burn non-DNR Lands (NA-1973)

**APPENDICES**

None listed

**FREQUENTLY ASKED QUESTIONS**

None listed

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**HISTORY**

For use by Policy Framework Administrator

**Supersedes:** Operational Order dated 3/30/2010 and Prescribed Fire Interim Guidance Memorandum dated 2/1/2019

**Maintenance:** MM/DD/YYYY Describe

**Amended:** MM/DD/YYYY Describe

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**APPROVAL**

/s/ SARAH STROMMEN  
Sarah Strommen, Commissioner

28 February 2020  
Date