



Colorado Prescribed

Fire Council

History

- ▶ **Organized in 2007**
- ▶ **Recommended by
Front Range Fuels
Treatment
Partnership**



Purpose



- ▶ **Increase appropriate use of prescribed fire in Colorado**

Objectives

- ▶ **Increase the use of Rx fire in Colorado.**
- ▶ **Reduce barriers to Rx fire.**
- ▶ **Improve cooperation & coordination among burners.**

Members / Implementers

- ▶ Private contractors
- ▶ Non-governmental orgs.
- ▶ University
- ▶ Fire chiefs Assoc.
- ▶ Agencies:
 - Local
 - State
 - Federal



Member of National Prescribed Fire Councils

▶ Three western states:

- California
- Colorado
- Montana

▶ Remainder in eastern half of the country.

Need for Rx Fire

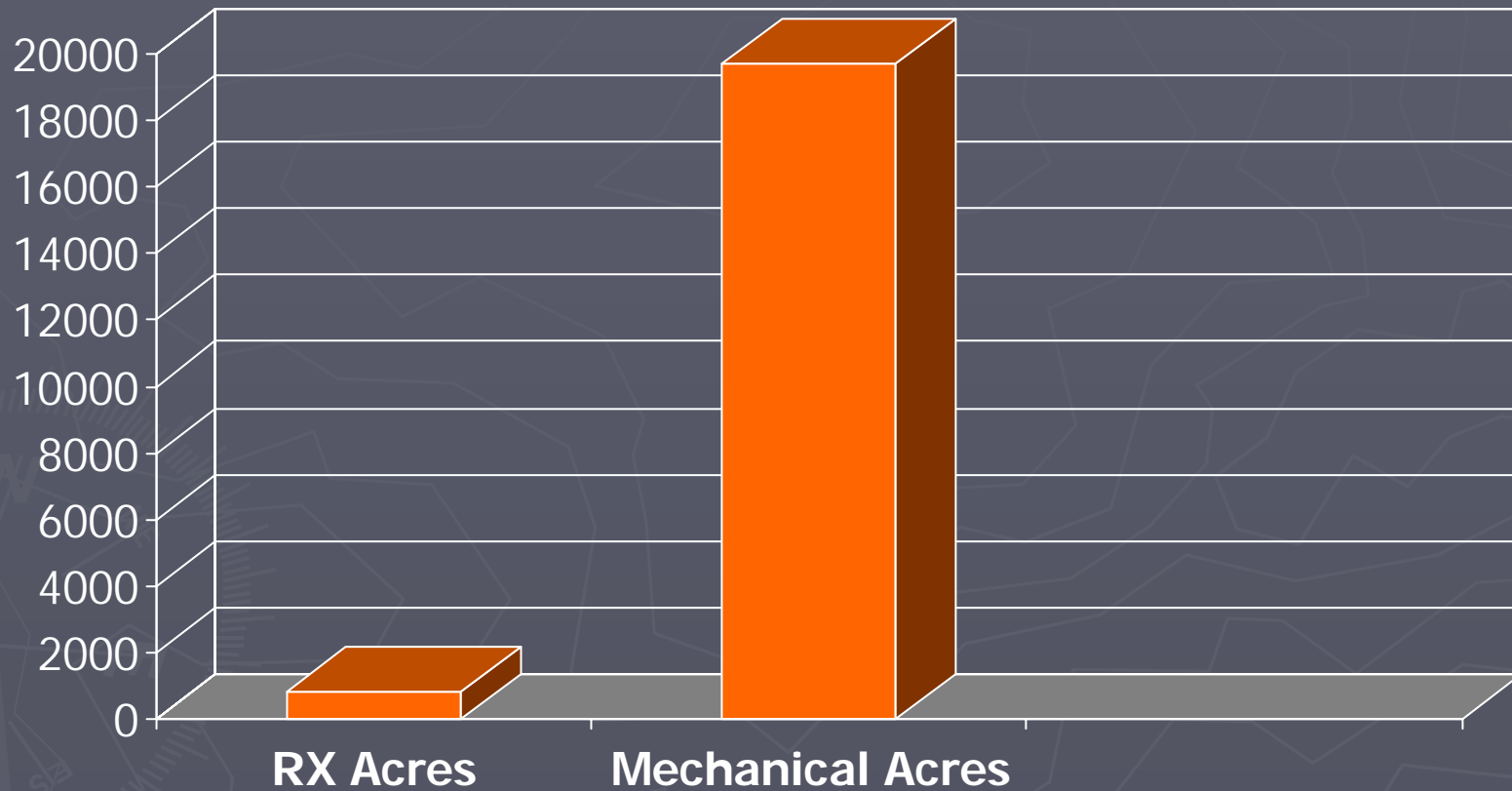
► Improve forest health

- 510,000 acres high priority along Front range ~ 86,000 treated 02-06.
- 17,200 acres/year = 30 years

Need for Rx Fire

- ▶ **80% of the Rocky Mtn. Region is moderately to highly departed from its normal fire regime and condition class.**
- ▶ **Rx burn costs are generally lower than mechanical treatment and more naturopathic.**

Colorado Acres Treated 2004-2006



Colorado State Lands

Need for Council

- ▶ Increase effectively treated acres.
- ▶ Demonstrate & Monitor.
- ▶ Collaboration.
- ▶ Wider involvement.
- ▶ Unified public advocate for Rx Burning.

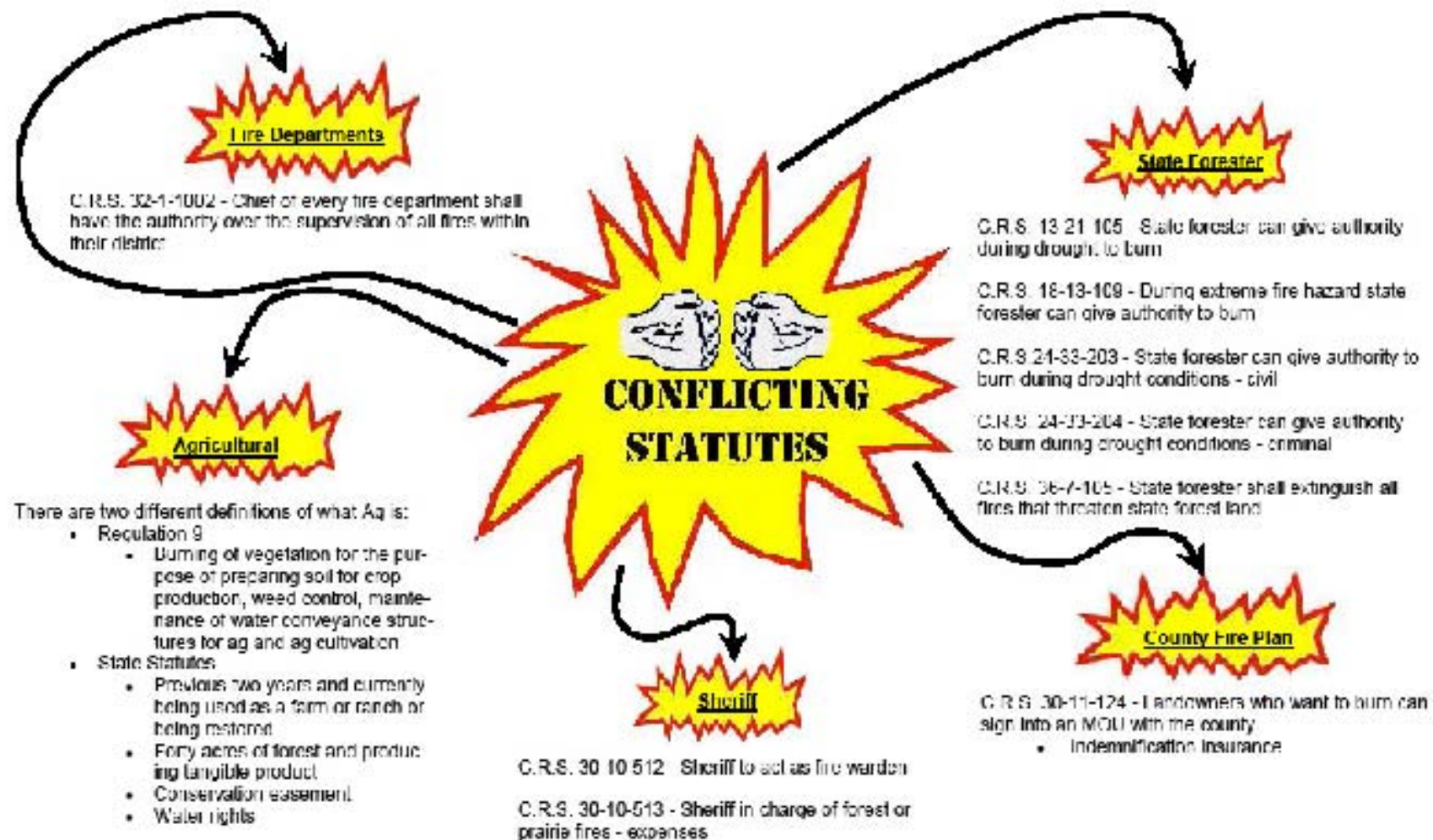


Initial Activities

- ▶ **Top 3 issues:**
 1. Legal/Liability
 2. Staffing & Capacity
 3. Smoke Management
- ❖ Reducing barriers to use of Rx Fire on private lands



Legal Issues



Legal Issues

▶ State Statues Unclear:

- Liability ~ Right to Burn.
- Authorities
- Responsibilities
- Definitions
- Govt. vs. private lands

▶ Legislative Interim Committee on Wildfire:

- Liability
- Define
- Clarify
- Powers

Staffing

- ▶ **Clarified use of FS personnel and partners.**
- ▶ **Minimum standards for quals. on pvt. land projects**
- ▶ **TNC national assessment**
~ partner & expand technical capacity



Smoke Management

- ▶ **Work within CDPHE/APCD Reg. 9**
- ▶ **Education & Training**
- ▶ **Prototype Monitoring**
~ Expand acre limits.



Proposed Legislation

► Colorado Prescribed Burning Act

- Builds on House Bill 00-1283

“use of fire is an effective and appropriate resource management tool..”

Bill provides for:

- ✓ Clear definition of how and when a landowner can have a Rx fire on their property.
- ✓ Structure for legal Rx fire operations.
- ✓ Agency oversight of Rx burning qualifications & operations.

Bill provides for:

- ✓ Established liabilities, exemptions and penalties for Rx burn personnel and landowners.

Legislation

- ▶ **Establishes “Right to Burn”**

- ✓ *Rx burning is a property right and land management tool*

Legislation

▶ **Limits Liability:**

- ✓ Not liable for damage or injury caused by fire or resulting smoke for burns conducted in accordance unless gross negligence is proven

Certified Burn Requirements

- 1. Burn plan submitted to Division.**
- 2. Certified Burner is on site.**
- 3. Specific consent of landowner.**
- 4. Division is notified of intent to burn.**

Certified Burn Requirements:

- 5. Adequate firebreaks, personnel & equipment to control fire.**
- 6. In public interest & not a nuisance when conducted under state air pollution statutes.**
- 7. Valid CAPCD or local smoke permit.**

Legislation

▶ Certified Burner:

- ✓ 32 hrs. Prescribed Burn Manager Training.
- ✓ 8 hr. refresher every five years.

Special Note

- ▶ **Don't have to be “certified” to conduct Rx Burns.**
- ▶ **Just don't have same liability protection as a Certified Burner.**

Non-certified Requirements:

- 1. Specific consent of the landowner.**
- 2. Authorization from Division or its designated agent before starting burn.**
- 3. Adequate firebreaks, personnel & equipment to control fire.**

Non-certified Requirements:

- 4. Fire stays within the boundary of authorized area.**
- 5. Someone is present on site until fires is extinguished.**
- 6. Division does not cancel authorization.**

Non-certified Requirements:

- 7. The Division determines the fire danger is favorable for safe burning.**
- 8. Burner acquires CAPCD or local smoke permit.**

Certified Burn Manager Requirements

- a) Training ~Burn Manager course (32 hrs over 4 days)

To include fire behavior, burning methods, safety, planning, smoke regulations, smoke issues and Colorado fire laws.

Certified Burn Manager Requirements

- b) Training Interchange ~ Training equivalent to the outlined course, provided by qualified instructors may be accepted in lieu of the Burn Managers course.

*Interchangeability to be determined by
Division.*

Certified Burn Manager Requirements

- c) Maintaining Certification ~
- Five year certification period
 - Minimum 8 hr Division approved training.
- &
- Conduct 2 burns or
 - Participate in 5 certified burns

If continuing education and experience does not occur, recertification requires retaking Burn Manager course.

Decertification

- ▶ Division revokes certification if:
 - Repeated violation of State Law or Division rules or they constitute a threat to public health.
- ▶ Decertification based on violations points assessment table.

Notice of Violation & Penalties

- ▶ Division documents and issues notice of violation. May forward to appropriate law enforcement entity for action.
- ▶ Division may impose administrative fine for violation of any section of CPFA.
- ▶ \$500 fine for escapes or burning beyond authorized time.

Key Issues for CSFS

▶ **Liability**

▶ **Financial Implications**

Future Tasks

- ▶ **Rx Burning workshops.**
- ▶ **Public information campaign.**
- ▶ **Staffing issues.**



Questions

