



Prescribed Burn Associations

The Oklahoma Cooperative Extension Service Bringing the University to You!

The Cooperative Extension Service is the largest, most successful informal educational organization in the world. It is a nationwide system funded and guided by a partnership of federal, state, and local governments that delivers information to help people help themselves through the land-grant university system.

Extension carries out programs in the broad categories of agriculture, natural resources and environment; family and consumer sciences; 4-H and other youth; and community resource development. Extension staff members live and work among the people they serve to help stimulate and educate Americans to plan ahead and cope with their problems.

Some characteristics of the Cooperative Extension system are:

- The federal, state, and local governments cooperatively share in its financial support and program direction.
- It is administered by the land-grant university as designated by the state legislature through an Extension director.
- Extension programs are nonpolitical, objective, and research-based information.
- It provides practical, problem-oriented education

for people of all ages. It is designated to take the knowledge of the university to those persons who do not or cannot participate in the formal classroom instruction of the university.

- It utilizes research from university, government, and other sources to help people make their own decisions.
- More than a million volunteers help multiply the impact of the Extension professional staff.
- It dispenses no funds to the public.
- It is not a regulatory agency, but it does inform people of regulations and of their options in meeting them.
- Local programs are developed and carried out in full recognition of national problems and goals.
- The Extension staff educates people through personal contacts, meetings, demonstrations, and the mass media.
- Extension has the built-in flexibility to adjust its programs and subject matter to meet new needs. Activities shift from year to year as citizen groups and Extension workers close to the problems advise changes.

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A Prescribed Burn Association (PBA) is a partnership between a group of landowners and other local citizens to conduct prescribed fires. Prescribed burning is the key land management practice used to restore and maintain native plant communities to their former diversity and productivity for livestock production and wildlife habitat, along with reducing fuels and damage from wildfires. Native prairies, shrublands and forests supply the majority of livestock forage and wildlife habitat in Oklahoma. Without fire, native plant communities become dysfunctional and unproductive. Research has clearly shown there is no substitute for fire. Oklahoma's ecosystems are fire dependent and excluding fire is a poor land management decision.

So why don't more people use prescribed fire to manage their land? Fire was not part of the European culture that has dominated the Oklahoma landscape for more than 100 years. Fire exclusion and fire suppression has been ingrained in our society for years and popularized by the very successful *Smokey Bear* ad campaign. The results of which has been a rapid decline in the quality of our native flora and fauna, along with costing taxpayers billions of dollars each year to fight wildfires.

There are four often-used excuses when people are asked, "Why don't you use prescribed fire?" First is liability. Liability should be a concern, but not to the point of inaction. There is little evidence in case law that properly conducted prescribed fires have resulted in significant sums of money being exchanged as a result of damages. Much of the perception of risk is generated by media coverage of wildfires, which have nothing to do with prescribed fire. Secondly, "I do not have enough training or experience." Followed by "I don't have enough people to help me," and "I don't have enough equipment." All of these answers will result in not burning, reducing the quality of land stewardship. This can put an Ag business in jeopardy or require spending large sums of money to reclaim the land from brush encroachment.

Forming a PBA directly addresses three of the excuses for not using prescribed fire. Most people don't realize that

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<http://osufacts.okstate.edu>



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they might already have insurance to assist with liability. This insurance may be available or even included with most farm and ranch liability policies. Be sure to check your policy or with your insurance agent to see at what extent you are covered. There are also a limited number of stand-alone prescribed fire liability policies.

The most effective management of risk and liability is having the proper training, experienced help and adequate equipment. Forming a PBA can assist the landowner with overcoming these three excuses. PBAs host workshops and trainings and members help other members conduct burns. This hands-on assistance allows each member to gain experience and confidence with prescribed fire. Because neighbors are helping neighbors, hiring labor is not necessary. PBA members pool their equipment so no one person has to buy all the equipment needed to burn. One person may have a drip torch, another a slip-on cattle/herbicide sprayer, another a four-wheeler and yet another has a tractor and disk for preparing firebreaks. There may also be grants available that a PBA can utilize for equipment purchase, as well as hosting

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training and educational events. With the proper equipment and added manpower, prescribed burns can be more effectively and safely conducted by the landowner.

Starting a Prescribed Burn Association

First, call a meeting of interested citizens. Make sure to involve key members of the community, landowners, lessees, federal and state land management agencies and local fire departments. The association has to be a locally led organization. Government organizations are there to provide support through technical assistance and guidance, which is very important to the PBA. A leader(s) must be identified. If no one from the community steps forward to lead and encourage others, the association will not be successful. The PBA will only be as good as the involvement of its members.

Next, develop a set of goals and objectives. The following goals are common among all the active PBAs:

- Share Equipment
- Share Labor
- Train Our Membership
- Foster good relations between neighbors and within the community in regards to the use of prescribed fire.

Goals and objectives help define what an association should do and helps establish a solid platform for communication among members. Teaching landowners and managers how to use prescribed fire safely and conduct educational events regarding the use and application of prescribed fire are also goals that each PBA should consider.

Finally, and most importantly, to have an effective PBA, it is critical to gain the support of the community. Therefore, there should be serious thought put toward how the PBA will operate. Loosely formed attempts are not only unsuccessful in accomplishing land management goals, but they garner no respect from the community. The following guidelines have been used by the many of the current PBAs.

Guidelines

for Prescribed Burn Associations

- Elect leaders, either officers (President, Vice-President, and Secretary and or Treasurer) or a Board of Directors (one or two from each county if multiple counties are involved). Landowners or lessees' (landholder) only should be eligible for election. Agency or university personnel are there to provide technical assistance.
- Set dues (\$25.00/year) for equipment purchase, and maintenance, along with funding meetings and training events.
- Host an annual fire training program to address safety, equipment use and prescribed burning techniques.
- Require written burn plans for each burn, the landholder can get help from agency or Extension personnel as needed.
- Landholder still assumes liability for the burn and must show proof of insurance prior to burning. The PBA does not conduct the burn, it provides assistance through equipment and labor.
- Landholders are responsible for preparing firebreaks, which must be adequate for the burn unit.

- Establish a minimum number of personnel that must be present on each burn to be considered a PBA burn.
- Maintain an inventory of available equipment, who can use it and who is responsible for maintenance and repairs.
- Each member must assist with a certain number of burns before they are eligible for PBA assistance with a burn on their property.

All state and local laws will be followed when conducting each burn.

Each landholder is not required to be the fire boss on their property. A more experienced person can be in charge if needed. The liability is still placed on the landholder because they are receiving the benefit of the fire.

Some PBAs have been very successful partnering with their local rural fire department. These partnerships have included being able to rent or use equipment for conducting prescribed burns, as well as having the local rural fire department present with additional manpower and equipment for burns. Involving the local rural fire department provides a twofold benefit, first the additional manpower and equipment adds an extra level of safety and risk management to the burn and second, it can provide fire training to fire department personnel. Firefighters do not often have the opportunity to watch and learn fire behavior because they are actively suppressing fires. By allowing firefighters to assist on prescribed burns, they can learn about fire behavior in a controlled environment that will enable them to improve their skills for suppressing wildfires.

Each PBA and local rural fire department partnership is different and depends on fire department policy and perceptions of prescribed fire. For example, some PBAs have been allowed to use a fire truck belonging to the local rural fire department. In one instance, the local rural fire department rented the truck to a PBA for one year. The benefit to the PBA was obvious, so the local rural fire department sold it to the local conservation district for \$1.00 so it would be available to the PBA anytime members conducted a burn.

Some local rural fire departments require a donation or rental fee for trucks and personnel. On the other hand, a few local rural fire departments are adamantly opposed to prescribed fire use, but this should be viewed as a learning opportunity for all and hopefully worked through with education and cooperation. Ultimately joining forces with a local rural fire department is a benefit to both parties. It gives the burn association added equipment, personnel and safety, while it gives the local rural fire department training time, possible added income and community service. In addition, both parties have a positive impact on our natural resources and community safety.

Another benefit of a PBA is strength in numbers for influence on state and local policy and laws. Many PBAs are allowed to burn during county burn bans due to their influence and proven ability to safely and effectively use fire. When members of the community band together with the same goals, while safely applying fire to the landscape, many community members will lend their support. They will also enjoy the benefits of prescribed fire in their area including reduction of wildland fuels for wildfire protection, enhanced native wildlife and plant habitat, enhanced livestock habitat, improved water quality and quantity and elimination of eastern redcedar. An equally important aspect of forming an association is public

education, especially for youth, providing benefits for future generations.

At this time (2015) there are 21 prescribed burn associations in Oklahoma. For information about membership in these associations or forming one in your area contact your local Cooperative Extension office (<http://www.oces.okstate.edu>), The Samuel Roberts Noble Foundation (www.noble.org), USDA-Natural Resources Conservation Service field office or the Oklahoma Prescribed Burn Association website at www.ok-pba.org.

Oklahoma Prescribed Burn Association

Formed in 2011, the Oklahoma Prescribed Burn Association (OPBA) is a 501(c)3, not-for-profit organization created to support existing local PBAs and develop new PBAs across the state. The goal of OPBA is to provide Oklahoma landowners with access to support, training and equipment to safely apply prescribed fire on their lands. OPBA has had several accomplishments to date:

- Equipping burn trailers with grant funds for use by various PBAs.
- Obtained an FCC license for its own statewide radio frequency.
- Obtained grants for handheld radios that are distributed to PBAs for use while conducting burns.
- Conducted numerous training and workshop events across the state.
- Led the effort in acquiring prescribed fire liability insurance for landowners.
- Hiring area coordinators to work across the state, assisting PBA members with writing burn plans, training and providing technical assistance with burns.
- Working to improve prescribed burn laws.
- Tracking prescribed burn activity in the state and region through a prescribed burn entry form (<http://www.ok-pba.org/burn-entry-form.html>).

For those interested in forming a prescribed burn association, it is now easier than ever. OPBA has developed all of the necessary paperwork and compiled it into one package ready for completion by the officers and members of a new PBA. This eliminates many questions and reduces the time requirement for PBA members to locate or develop

the paperwork. The procedures and documents needed for forming a PBA in Oklahoma (other states are very similar) are as follows and located at (<http://www.ok-pba.org/about.html>):

Step 1: Develop and adopt bylaws and guidelines for local PBA. These must be consistent with OPBA bylaws if the local PBA wants to affiliate with OPBA. Template bylaws are provided by OPBA for consideration.

Step 2: Conduct a business entity search at www.sos.ok.gov/corp/ to ensure the name of your association is not in use. This is the Oklahoma Secretary of State web site. Use "business entity search" near the top of the page or select "name availability."

Step 3: Complete Articles of Incorporation (\$25 fee) at this web site: www.sos.ok.gov/corp/. Go to "downloadable business forms" under helpful information, then select "certificate of incorporation forms and procedures (not for profit)." Follow the Certificate of Incorporation template included with this packet when completing the form. File this form with the Oklahoma Secretary of State.

Step 4: Obtain Employer Identification Number (EIN). There is no charge if using the IRS web site: [http://www.irs.gov/Businesses/Small-Businesses-%26-Self-Employed/Apply-for-an-Employer-Identification-Number-\(EIN\)-Online](http://www.irs.gov/Businesses/Small-Businesses-%26-Self-Employed/Apply-for-an-Employer-Identification-Number-(EIN)-Online)

Step 5: Set up bank account. You will need your EIN and Articles of Incorporation or bylaws. Check with your bank for all required paperwork.

Step 6: Following a board meeting at which your board of directors authorizes your organization to affiliate with the Oklahoma Prescribed Burn Association, review and sign the Oklahoma Prescribed Burn Association Affiliation Agreement.

Step 7: Submit copies of the PBAs Articles of Incorporation, EIN, bylaws, signed Affiliation Agreement and membership fee (\$100 for newly formed PBAs and \$250 for existing PBAs) to the Oklahoma Prescribed Burn Association for review and approval.

This affiliation agreement with OPBA allows all donations and contributions the local PBA receives to be tax deductible to donors and allows the PBA to be eligible for many other benefits. For more information about OPBA and how they can assist local PBAs visit www.ok-pba.org