



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

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## OWF POLICY MEMORANDUM 2015-002

To: Director, Bureau of Land Management  
Director, National Park Service  
Director, U.S. Fish and Wildlife Service  
Director, Bureau of Indian Affairs  
Commissioner, Bureau of Reclamation  
Director, U.S. Geological Survey

From: Jim Douglas, Director – Office of Wildland Fire

Subject: Wildland Fire Chemicals

**Purpose:** This Policy Memorandum establishes Department-wide policies and procedures to have adequate types and quantities of qualified fire chemical products available to accomplish fire management activities safely, efficiently, and effectively.

**Background:** The Department of the Interior (DOI) and cooperating wildland firefighting agencies need adequate types and quantities of qualified fire chemical products available to accomplish fire management activities as safely and effectively as possible. To accomplish this objective, the Wildland Fire Chemicals Systems (WFCS) staff at the Forest Service (FS) Missoula Technology and Development Center evaluates and pre-approves commercial wildland firefighting chemicals. All products must meet the requirements of specifications identified and maintained by the WFCS program. After a product evaluation has been completed successfully, the product is added to the Qualified Products List for the appropriate product type.

Current policy for delivery of wildland fire chemicals, including retardant, foam, water enhancers near waterways, and other avoidance areas was established in 2000 and 2009 and approved by the FS and the DOI. This policy memorandum updates and expands on the 2000 and 2009 policies.

**Scope:** The DOI wildland fire activities involving wildland fire chemicals.

**Time Frame:** This Policy Memorandum is effective immediately and remains in effect until rescinded or modified.

**Policy:** The DOI policy is to use only wildland fire chemical products that are evaluated, qualified, and approved for intended use. The list of qualified and approved uses can be found on the WFCS website at <http://www.fs.fed.us/tm/fire/wfcs/index.htm>.

All wildland fire chemical products will be evaluated in accordance with accepted performance specifications and requirements listed on the WFCS website. The specification for each product

type contains the classification and performance requirements and a brief description of the test methods to be used. The standard test procedures contain more detailed information for performing each of the required tests.

The specification and standard test procedures will be reviewed and revised as part of a continual program improvement process. Specifications are periodically reviewed to make sure the WFCS program is on track with the required tests and they are applicable to the current business practices and applicable science. When a need for a change to the specification or process is identified it will be presented to the Fire Chemicals Board, comprised of FS, Bureau of Land Management, Bureau of Indian Affairs, and CAL FIRE representatives, all of whom are career fire operations personnel. The Fire Chemicals Board will provide input, suggestions, alternatives, and make a recommendation. The Fire Chemical Board's recommendation is presented to the FS Branch Chief, Fire Equipment and Chemicals, having delegated authority, from FS Director of Fire and Aviation Management, Washington Office, to approve chemicals for FS and DOI operations and to administer the chemical qualification and evaluation program.

Bureaus shall implement the following procedures and guidelines for aerial and ground delivery of wildland fire chemicals near waterways and other avoidance areas. This policy replaces and supersedes previous policy on aerial delivery of wildland fire chemicals.

**Procedures and Guidelines:** The attached *Interagency Policy for Aerial and Ground Delivery of Wildland Fire Chemicals Near Waterways and Other Avoidance Areas (Revised: 10/17/2014)* supplements the requirements prescribed by this Policy Memorandum.

**Contacts:** Questions can be directed to Dick Bahr, Deputy Director, Management and Programs, Office of Wildland Fire at 208-334-1550.

cc: Interior Fire Executives  
Interior Fire Directors

Attachment: Interagency Policy for Aerial and Ground Delivery of Wildland Fire Chemicals Near Waterways and Other Avoidance Areas

## Interagency Policy for Aerial and Ground Delivery of Wildland Fire Chemicals Near Waterways and Other Avoidance Areas

This policy is an expansion and update for the 2000 and 2009 updated Guidelines for Aerial Delivery of all wildland fire chemicals, including retardant, foam and water enhancers which were established and approved by the Forest Service (FS) and the Department of the Interior (DOI). The policy includes additional avoidance areas (both aquatic and terrestrial) for aerial delivery of fire chemicals as designated by individual agencies and includes additional FS reporting requirements.

*This policy **does not** require the helicopter or airtanker pilot-in-command to fly in such a way as to endanger his or her aircraft, other aircraft, or structures or compromise ground personnel safety*

Aerial Delivery Policy	Ground Delivery Policy
<ul style="list-style-type: none"><li>• Avoid aerial application of all wildland fire chemicals within 300 feet (ft.) of waterways.</li><li>• Additional mapped avoidance areas (both aquatic and terrestrial) may be designated by individual agency.</li><li>• For FS, whenever practical, as determined by the fire incident commander, use water or other less toxic wildland fire chemical suppressants for direct attack or less toxic approved fire retardants in areas occupied by threatened, endangered, proposed, candidate or sensitive species (TEPCS) or their designated critical habitats.</li></ul>	<ul style="list-style-type: none"><li>• Avoid application of all wildland fire chemicals into waterways<sup>1</sup>.</li></ul>

<sup>1</sup>Delivery on the ground provides for more precise delivery of fire chemicals to target areas. Thus delivery is allowed within the aquatic mapped avoidance areas provided chemicals do not reach the waterway. Because there is the potential for TEPCS, their designated critical habitats or other resources such as cultural or heritage areas to occur in waterway buffers or additional mapped avoidance areas, it is advised that a resource advisor be consulted prior to application to determine best action or the potential for environmental effects. See reporting section below for requirements.

### **Definition of Waterway:**

Any body of water (including lakes, rivers, streams and ponds) whether or not it contains aquatic life.

### **Definition of Waterway Buffer:**

300 ft. distance on either side of a waterway.

### **Definition of Additional Mapped Avoidance Areas:**

On FS lands, there may be areas requiring additional protection outside of the 300 ft. waterway buffer. This may include certain dry intermittent or ephemeral streams for resource protection, as well as areas for the protection of TEPCS terrestrial habitats and population areas. Maps are available at the NIFC Interagency FTP Site: [ftp://ftp.nifc.gov/Base\\_Info/Retardant\\_Avoidance\\_Areas](ftp://ftp.nifc.gov/Base_Info/Retardant_Avoidance_Areas)

### **Guidance for pilots:**

**Pilots will avoid all waterways and additional mapped avoidance areas designated by individual agencies.**

To meet the 300 ft waterway buffer zone or additional mapped avoidance areas guideline, implement the following:



- **All Aircraft:** When approaching a waterway or other avoidance areas, the pilot shall terminate application of wildland fire chemical approximately 300 ft before reaching the area. When flying over a waterway, the pilot shall not begin application of wildland fire chemical until 300 ft. after crossing the far bank or shore. The pilot shall make adjustments for airspeed and ambient conditions such as wind to avoid the application of wildland fire chemicals within the 300 ft. buffer zone. Riparian vegetation may be an indicator of waterways and pilots should confirm to the extent possible that no water is present before dropping.

Additional guidance to pilots for any aircraft supporting a fire on FS lands:

- FS may have additional mapped avoidance areas for TEPCS species, waterway buffers exceeding 300 ft. or certain intermittent or ephemeral waterways that are identified as avoidance areas for resource protection. Any aerial supervision resource should inquire if these avoidance areas exist on any FS fire they are providing support to.
- Prior to fire retardant application, all aerial supervision and/or pilots shall be briefed by dispatch on the locations of all TEPCS or other avoidance areas in the vicinity.
- If operationally feasible, pilots or the aerial supervision shall make a 'dry run' over the intended application area to identify avoidance areas and waterways in the vicinity of the wildland fire.
- Pilots should be provided avoidance area maps and information at all briefings (if not dispatched from one geographic area/unit and delivering to another geographic area).

**Exceptions for Aerial Delivery of Long-term Fire Retardant on USDA Forest Service Lands (2011 Record of Decision):**

- Deviations from the policy are allowed only for the protection of life or safety (public and firefighter).

**Exceptions for all other Agencies and all other fire chemicals:**

- When alternative line construction tactics are not available due to terrain constraints, congested area, life and property concerns or lack of ground personnel, it is acceptable to anchor the wildland fire chemical application to the waterway. When anchoring a wildland fire chemical line to a waterway, use the most accurate method of delivery in order to minimize placement of wildland fire chemical in the waterway (e.g., a helicopter rather than a heavy airtanker).
- Deviations from the policy are acceptable when life or property is threatened and the use of wildland fire chemical can be reasonably expected to alleviate the threat.
- When potential damage to natural resources outweighs possible loss of aquatic life, the unit administrator may approve a deviation from these guidelines.

**Reporting Requirements of Wildland Fire Chemicals into Waterways, Waterway buffer areas and Mapped Avoidance Areas**

During training or briefings, inform field personnel of:

- environmental guidelines for fire chemical application,
- requirements for avoiding contact with waterways,
- additional mapped avoidance areas as designated by individual agency, and
- their responsibility for upward reporting in the event of application, for whatever reason, into avoidance areas.

If application of wildland fire chemical occurs or anyone believes it may have been introduced within waterway, waterway buffered areas or other mapped avoidance areas, the following is required as appropriate:

- they should inform their supervisor,
- the information will be forwarded to incident management and the agency administrator, usually through the resource advisor,
- the incident or host authorities must immediately contact specialists within the local jurisdiction,
- notifications and reporting will be completed as soon as possible and,
- report use of ground based foam and gel products into FS mapped avoidance areas to further assist in developing a knowledge base of potential effects.

Procedures have been implemented for the required reporting. All information, including reporting tools and instructions are posted on the web site at: <http://www.fs.fed.us/rm/fire/wfcs> and here:

<http://www.fs.fed.us/fire/retardant/> The FS has additional reporting requirements for threatened, endangered, proposed, candidate and FS listed sensitive species for aerially delivered fire retardant only. This requirement resulted from the Forest Service's acceptance of Biological Opinions received from the National Marine Fisheries Service (NMFS) and the Fish and Wildlife Service (FWS) and the 2011 Record of Decision for Nationwide Aerial Application of Fire Retardant on National Forest System Lands. The procedures, reporting tools and instructions can be found at the same website listed above.

#### **Endangered Species Act, (ESA) Emergency consultation**

The FS has completed consultation with regulatory agencies (FWS and NOAA) for aerial delivery of fire retardant (only) on National Forest System lands; please refer to <http://www.fs.fed.us/fire/retardant/> for additional information and re-initiation of consultation requirements.

The following provisions are guidance for complying with the emergency section 7 consultation procedures of the ESA for other wildland fire chemicals including aerially delivered retardant delivered by cooperating agencies and all ground applications of any fire chemicals. These provisions do not alter or diminish an action agency's responsibilities under the ESA.

Where T&E species or their habitats are potentially affected by application of wildland fire chemicals, the following additional procedures apply and shall be documented in initial or subsequent fire reports.

- As soon as practicable after application of wildland fire chemical near waterways or other avoidance area as designated by agency, determine whether the application has caused any adverse effects to a T&E species or their habitat. This can be accomplished by the following:
  - Ground application of wildland fire chemical outside a waterway is presumed to avoid adverse effects to aquatic species and no further consultation for aquatic species is necessary.
  - Aerial application of wildland fire chemical outside 300 ft. (or in the additional buffer area of 200-300 ft depending on the species for NFS lands only) of a waterway is presumed to avoid adverse effects to aquatic species and no further consultation for aquatic species is necessary.
  - Aerial application of wildland fire chemical within 300 ft (or additional NFS lands buffer). of a waterway requires that the unit administrator determine whether there have been any adverse effects to T&E species within the waterway. If no adverse effects to aquatic T&E species or their habitats, no additional requirement to consult on aquatic species with FWS or NMFS is required.
  - Application of any wildland fire chemical within other avoidance areas as designated by agency requires the agency administrator to determine whether there have been any adverse effects to T&E species. If there are no adverse effects to species or their habitats there is no additional requirement to consult with FWS or NMFS

If the action agency determines that there were adverse effects on T&E species or their habitats then the action agency must consult with FWS and NMFS, as required by 50 CFR 402.05 (Emergencies). Procedures for emergency consultation are described in the Interagency Consultation Handbook, Chapter 8 (March, 1998). In the case of a long duration incident, emergency consultation should be initiated as soon as practical during the event. Otherwise, post-event consultation is appropriate. The initiation of the consultation is the responsibility of the unit administrator.