**Managing Liability—Standards and Qualifications**

**Need and purpose:** The use of fire to manage vegetation is of vital importance in conservation, restoration and habitat management, as well as for the protection of other values at risk from wildfire. Conducting controlled burns often requires more personnel and equipment than individual management units or ownerships have available, and many agencies and organizations have seen reductions, rather than increases, in staff capacity and funding for controlled burning. With the scale and scope of burning needed, fragmented capacity, and limited funding, cooperative burning has proven to be the best answer for consolidating a region’s fire lighting capacity and accomplishing a variety of burns across numerous ownerships.

Coordinating and conducting inter-organizational activities, including controlled burns, adds complexity to the risk that must be managed for and can introduce risks based on misunderstandings. Risk mitigation thus includes defining mutually-acceptable standards, as well as clearly identifying the liability of participating individuals, agencies and organizations. By having shared standards, and using suitable agreements and waivers, hosts’ and participants’ roles and responsibilities are clearly defined and liability concerns can be addressed.

**Land tenure, jurisdiction and the organizational makeup of the burn team** determine which standards to use—state and local laws, NWCG, or both.
There are numerous agreements nationwide that facilitate efforts between private, state and federal organizations to cooperate during firefighting and fire lighting. See the attached examples of current and past agreements between a variety of entities. Also see participant and landowner waivers.

**Clarify training standards when they differ** between participating agencies and organizations.Many municipal, state and private fire organizations do not follow NWCG standards, but adhere to other standards for training and qualifications, including standards appropriate for private individuals using fire on their own land. We recognize the tremendous effort of the entire fire community to manage fire safely, appropriately and within state and federal laws.
In instances where participants from state and private fire organizations that follow standards other than those set by NWCG are to work with federal agencies or on federal land, two options are available to allow crew integration: a memorandum of understanding acknowledging each other’s standards can be executed between the organizations, or the participants not adhering to NWCG standards can take the NWCG basic firefighter training to allow them to qualify to participate. That training consists of the courses S130, S190, I100, IS700 as well as completing a fitness test and fire shelter deployment practice.

**The Nature Conservancy and NWCG:** The Nature Conservancy adheres to NWCG standards in training and qualifying its fire practitioners. It is also partners with member agencies of NWCG, including through the cooperative agreement that supports Prescribed Fire Training Exchanges. Conservancy employees and fire programs are integrated into the national federal firefighter database, IQCS, and Conservancy staff have permission and responsibility to deliver NWCG fire training courses.

Participants who are unaffiliated with an agency or organization can attend Prescribed Fire Training Exchanges as a volunteer with The Nature Conservancy or a host unit. Additional documentation is required for this—participants should discuss this with the training coordinator well in advance of the event if you intend to be a volunteer with The Nature Conservancy or other hosting agency. Training coordinators contact your operating unit’s volunteer coordinator.