

CITY OF VINELAND

RESOLUTION NO. 2021-517

RESOLUTION AUTHORIZING THE EXECUTION OF A PRESCRIBED BURNING AGREEMENT WITH NEW JERSEY FOREST FIRE SERVICE TO PLAN AND IMPLEMENT A PRESCRIBED BURN ON BLOCK 3303 LOT 2 (E. LANDIS AVENUE).

WHEREAS, prescribed burning can be a cost effective and safe method of reducing fuels, vegetation and leaf litter that could contribute to a wildfire, across broad landscape; and

WHEREAS, there exists a heavy fuel accumulation in many areas in Vineland which makes the woodlands vulnerable to wildland fire, more specifically Block 3303 Lot 2; and

WHEREAS, the New Jersey Department of Environmental Protection Air Quality regulations, N.J.A.C. 27-2 requires permits to conduct prescribed burning and are obtained from New Jersey forest Fire Service who, upon request by the City, will plan, prepare and implement a prescribed burn; and

WHEREAS, City Council finds it to be in the best interest of the City to complete an application for Prescribed Burn Permit and execute an Agreement with the New Jersey Department of Environmental Protection Forest Fire Service for the above mentioned property in the form attached hereto and subject to the procedures set forth in the attached guide for prescribed burning.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Vineland that the Mayor or designee and Clerk are authorized to execute the application for a Prescribed Burn Permit and an Agreement with the New Jersey Department of Environmental Protection, Forest Fire Service for the property known as Block 3303, Lot 2 (E. Landis Avenue) in the City of Vineland in the form and substance attached hereto and made a part hereof:

Adopted:

President of Council

ATTEST:

City Clerk

Prescribed Burning in New Jersey

A Procedure and Application
Guide for Private
Landowners:

Forest Fire Service-Implemented Prescribed Burns

NOTE: Use this application if you are requesting services from the New Jersey Forest Fire Service (NJFFS) to plan and implement a prescribed burn on your behalf. If you are conducting the burn yourself or wish to hire a qualified professional other than the NJFFS use the applications titled: Landowner-Implemented Prescribed Burns or Qualified Professional-Implemented Prescribed Burns



State of New Jersey
Department of Environmental Protection
Forest Fire Service



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Section I. When should a private landowner undertake prescribed burning?

Prescribed burning can be a safe and cost-effective method of reducing fuels, vegetation and leaf litter that could contribute to a wildfire, across a broad landscape. Private forest landowners or lessees (also known as “applicants” or “applicant”) should consider whether prescribed burning could be used as a management tool to reduce fuels if:

- There exists a heavy fuels accumulation and the woodland is vulnerable to wildland fire; and
- The burn will help to reduce wildfire risk.

However, no applicant should employ prescribed burning as a land management tool if:

- Such burning is prohibited by local ordinance;
- The applicant lacks the resources and skills necessary to carry out and complete the burn safely; or
- The potential burn site is not accessible for fire vehicles and equipment.

N J Department of Environmental Protection’s Air Quality regulations, N.J. A. C. Chapter 27, Subchapter 2 define the Control and Prohibition of Open Burning. Permits are required to conduct prescribed burning and are obtained from NJ Forest Fire Service. There are three options an applicant can chose to implement a prescribed burn on the applicant’s property:

- Obtain a permit to implement him or herself
- Request the services of the NJ Forest Fire Service (FFS) staff
- Hire a qualified professional

Note. This application procedure and guide is intended for applicants who wish to request the services of the NJ Forest Fire Service staff to plan, prepare, and implement a prescribed burn, for a nominal service fee, and is known as a “Forest Fire Service Implemented Prescribed Burn Application.”



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Section II. Prescribed Burning Permits: Application Procedure

To apply for a prescribed burning permit

- "Landowners" includes landowners or lessees and their employees and/or designated agents who are conducting burns on the landowners' properties can apply for the permit. Responsibility for the proper conduct of the burn resides with the applicant.
- Complete an application (Section III, Appendices A and B) and send to one of the three FFS Division Field Offices (Appendix C) by **October 1st**.
- There is no fee associated with applying for a permit. However, a nominal **service fee** to offset some of the costs to FFS will be assessed after an applicant's property has been treated with prescribed fire (Appendix B). The fee will be based on the overall acreage burned by the end of the prescribed burn season.

Note. A new application will be required each year regardless of what was completed or not completed. The agreement to render services and the applicable payment upon completion of what was planned is only valid for that fiscal year ending September 30th 2021.

Forest Fire Service Implemented Prescribed Burns

To apply for a FFS Implemented Prescribed Burn Permit, the applicant shall, by October 1st:

- a. Complete and sign the application form (Section III), Prescribed Burn Permit Conditions (Appendix A), and the Prescribed Burning Agreement (Appendix B); and
- b. Submit the completed forms to the appropriate Division Field Office (see Appendix C).

Section III. Prescribed Burn Procedures and Requirements

1. Checklists for Conducting a Prescribed Burn

A. Preparation and Submittal of the Permit Application

- Municipal codes have been reviewed to ensure that they do not prohibit open burning; and, if burning is allowed, whether there are any applicable restrictions.
- The Prescribed Burn Application Form has been completed and signed by the applicant.
- A Prescribed Burning Agreement (Appendix B) completed and signed by the applicant; and
- The completed Prescribed Burn Application Form, together with all supporting documentation, has been submitted to the appropriate FFS Division Field Office (Appendix C) no later than **October 1st** of the year preceding the planned burn for FFS assisted burns.



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B. Before Proceeding with the Burn

- The FFS will coordinate the burn with the applicant and will deliver an approved prescribed burn permit.
- The FFS will ensure that any necessary control lines are plowed or otherwise prepared, and that the lines surround all areas to be burned with either natural or man-made fire breaks sufficient to prevent the escape of fire from the designated area.
- A Section Forest Firewarden will notify the local police and fire within 24 hours prior to implementing the burn.
- FFS will supply fire suppression equipment and personnel to ensure that the fire does not escape firebreaks.

C. On the Day the Burn is Conducted

- The applicant must be present on the burn site on the day of the burn.
- Go/No Go decision: The FFS will make a determination that no meteorological or other factors make it necessary to postpone the burn.
- The FFS will confirm fire suppression equipment and personnel necessary to ensure that the fire does not escape firebreaks will be present on the burn site on the day of burn.
- A copy of the approved prescribed burn permit and the prescribed burn plan must be present and available at the burn site on the day of the burn.

2. Technical and/or Operational Assistance for FFS assisted Prescribed Burns

The FFS will provide two types of assistance to an applicant to aid in the safe and effective conduct of prescribed burning activities. These are:

A. Technical Assistance: This is provided to an applicant to ensure the prescribed burn application is in compliance with the requirements explained in this document and in accordance with safe burning practices. The FFS's technical assistance will include the preparation of the prescribed burn plan and a site visit, if necessary, as part of the planning process; and

B. Operational Assistance: This is provided to assist the applicant in implementing the activities of the prescribed burn plan, including conducting the burn, ensuring it is fully contained, and completion of all necessary paperwork.



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Section for Official Use Only (NJFFS) Date Received _____

3. Prescribed Burn Application Form for Forest Fire Service-Implemented Prescribed Burns

APPLICANT NAME City of Vineland

STREET 1640 E. Wood St.

TOWN Vineland NJ ZIP CODE 08360

HOME PHONE (856) 794-4000

DAYTIME PHONE " " "

Prescribed Burn Project Location and Acres

LOCATION (Property where prescribed burning is to be completed):

COUNTY Cumberland

TOWNSHIP Vineland

ADDRESS or BLOCK AND LOT (specific location) E. Landis Ave, BL. 3303 L. 2

TOTAL ACREAGE TO BE BURNED (to nearest half-acre) 10 ac.

SIGNATURE OF APPLICANT [Signature] DATE _____

Mail or Deliver the completed forms to the appropriate FFS Division Office (see Appendix C)



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APPENDICES

Prescribed Burning in New Jersey

A Procedure and Application Guide for Private Landowners:

Forest Fire Service Implemented Prescribed Burns

1. APPENDIX A: Prescribed Burn Permit Conditions
2. APPENDIX B: Prescribed Burning Agreement
3. APPENDIX C: Forest Fire Service Field Office Locations



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APPENDIX A: Prescribed Burn Permit Conditions



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OFFICIAL USE ONLY SECTION (NJFFS)	DIVISION: _____ SECTION: _____
PRESCRIBED BURNING PERMIT	
PERMIT NO.: _____ DATE PERMIT ISSUED: _____ NOT VALID AFTER: _____	
APPLICANT NAME: _____	
PARCEL NAME/LOCATION: _____	
SECTION FIREWARDEN INSPECTION COMPLETED: _____ DATE: _____	
DIVISION/ASSISTANT DIV. FIREWARDEN _____ DATE: _____	
REQUIRED NOTIFICATIONS: _____	

Prescribed Burn Permit and Conditions

No burning may commence unless the applicant notifies the local FFS Division Field Office on the State business day prior to the scheduled date of the burn and receives verbal approval from the FFS to go ahead with the burn.

- Such notification must be made within 24 hours of the planned burn, during normal business hours, Monday through Friday, 8 am to 4 pm. In case of a weekend or holiday, the notification must occur on the last business day before the holiday or weekend for the permit to be valid.
- Upon notification, the local FFS Division Office will determine whether any meteorological factors or the availability of resources makes it necessary to revoke permission to proceed with the burn. The applicant **MUST** receive authorization to proceed from FFS before conducting a prescribed burn.
- The applicant shall ensure that a copy of the Prescribed Burn Permit and the day's fire weather forecast issued by the National Weather Service are available to the person conducting the burn, on the day of the burn and are available for inspection.
- The burn may not commence until the required notifications have been made, see above in the official use section "REQUIRED NOTIFICATIONS."
- Permits are nontransferable from one location to another or person to person.
- A permit issued by the FFS does not authorize the burning for the disposal of rubbish, garbage, trade waste or building materials by open burning. Only natural vegetation including herbaceous and woody plant material may be burned for the prevention and control of wildfire.
- The applicant is responsible for compliance with the permit and its conditions, and for the burn, and the actions of any designated agent or other person conducting the burn.
- The applicant is responsible for ensuring that the fire is attended at all times and that the burn is complete and 100 percent contained before the designated agent or other person responsible for conducting the burn and the fire suppression equipment and personnel leave the property.
- The applicant shall ensure that the burn is carried out in accordance with the prescribed burn plan approved by the FFS.
- Additional conditions: _____

I HEREBY CERTIFY THAT THE BURN WILL BE CARRIED OUT IN CONFORMANCE WITH THE ABOVE CONDITIONS:

APPLICANT NAME (PRINTED): City of Vineland - Robert Dickenson, Business Adm.
 SIGNATURE OF APPLICANT: *Robert Dickenson* DATE 10/19/21

NOTES: This permit does not authorize burning that will violate the New Jersey Air Pollution Control Code, New Jersey Uniform Fire Code, or the Forest Fire Prevention and Control Act. Violators are subject to fines up to \$5,000.00 and revocation of the prescribed burning permit.



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APPENDIX B: Prescribed Burn Agreement



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PRESCRIBED BURNING AGREEMENT
NJ Department of Environmental Protection
Forest Fire Service

This document sets forth an agreement between the owner of a private property and the New Jersey Forest Fire Service (FFS), where under the FFS, subject to the caveats noted herein, agrees to perform a prescribed burn on the applicant's property at the request of the applicant, in an effort to aid the applicant in reducing wildfire risk.

APPLICANT:

Name: City of Vineland
 Address: 640 E. Wood St., Vineland, NJ 08360
 Phone: (856) 794-4000

Authorized agent (if applicable):

Name: Robert Dickenson, Business Adm.
 Address: S/A above
 Phone: _____

PROPERTY TO BE BURNED:

Street address: E. Landis Ave. Bl. 3303 L. 2
 Town & County: Vineland, Cumberland
 Acres: 10 ac. field

Other identifiers (coordinates, block & lot #s, landmarks, etc., as applicable):

East of Lincoln Ave., Willow Oak Nature Area, field is within interior of property

PRESCRIBED BURN SITE(S):

Location & description: field accessible from Post Road entrance

Acres of each site: whole site is 69 ac, only 10 ac. field to be burned.



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A. The Applicant:

1. Requests that the FFS perform the prescribed burn(s) on the property specified above.
2. Accepts full responsibility for any and all injury and/or damages to the applicant's property that may result from the burn operation.
3. For the applicant, and the applicant's heirs, successors and assigns, holds harmless, indemnifies, defends, protects, and releases the State of New Jersey, the Department of Environmental Protection, and their members, directors, officers, employees, agents, contractors, successors, and assigns from and against any and all suits, causes of action, demands, complaints, liabilities, penalties, costs, losses, damages, judgments, expenses or claims, including, without limitation, reasonable attorney's fees, in any form, arising from or in any way connected with the FFS' role in the prescribed burn.
4. Will reimburse FFS for operational assistance provided to applicant to assist the applicant in implementing the activities of the prescribed burn plan, including the implementation of the burn, ensuring it is fully contained, and completing all the necessary paperwork.

Reimbursement rates for FFS are for the cost of services provided. An estimate of the cost of services will be provided to the applicant before the work is initiated. **The service charges are due and payable upon the implementation of the burn or whatever was treated using prescribed fire at the end of the prescribed burn season, usually ending on March 15th.**

Note. A new application will be required each year regardless of what was completed or not completed. The agreement to render services and the applicable payment upon completion of what was planned is only valid for that prescribed burn season ending June 30th 2019.

Calculation of the amount due is as follows:

Prescribed Burning Operational Service Fee Schedule Including Plan Development, Site Preparation and Burn Implementation

	a. ≤25 acres:	\$ 250 flat fee
plus	b. 26 to 50 acres:	\$10/acre
plus	c. 51 to 100 acres	\$5/acre
plus	d. 101 acres and above	\$2/acre

Example Calculations:



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The following examples show how the reimbursement amount for FFS operational assistance will be calculated for properties of varying burn area acreages.

Example 1. Burning of 7 acres with the operational assistance of FFS would cost: \$250 = (flat fee of \$250 for implementation of prescribed burning for ≤ 25 acres).

Example 2. Burning of 30 acres with the operational assistance of FFS would cost: \$300 = \$250 (flat fee of \$250 for the first 25 acres) + \$50 (5 acres x \$10/acre).

Example 3. Burning of 90 acres with the operational assistance of FFS would cost: \$700 = \$250 (flat fee of \$250 for the first 25 acres) + \$250 (25 acres x \$10/acre) + \$200 (40 acres x \$5/acre).

Example 4. Burning of 1,200 acres with the operational assistance of FFS would cost: \$2,950 = \$250 (flat fee of \$250 for the first 25 acres) + \$250 (25 acres x \$10/acre) + \$250 (50 acres x \$5/acre) + \$2,200 (1,100 acres x \$2/acre).

5. Understands and acknowledges that prescribed burning assistance from FFS is limited depending on resource availability.
 6. Understands and acknowledges that the highest priority for FFS personnel and equipment assigned for use in the prescribed burn remains the suppression of wildland fire and that fire suppression will take precedence over prescribed burn activities. The applicant recognizes that the prescribed burning may be suppressed at any time during the operation if the fire is too destructive or hazardous or if the potential or actual danger from wildfire on the property or elsewhere reaches the point where FFS personnel and equipment must suppress the prescribed burn fire until it is fully contained, even though the burn is incomplete, and return to firefighting activities.
 7. Understands and acknowledges that the purpose and objectives of the prescribed burn are set forth in the Prescribed Burn Plan, and that the burn may be suppressed and discontinued at any time during the operation if the FFS determines that the fire is not fulfilling the purpose of the burn, as set forth in the plan.
 8. Will observe the forest fire laws and conform with any constraints applicable pursuant to the air pollution regulations of New Jersey pertaining to the prescribed burning operation.
- B. The FFS:**
1. In consultation with the applicant, will prepare a Prescribed Burn Plan for the prescribed burn.



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2. Will prepare, as necessary, interior and/or exterior fire control lines, sufficient to prevent the escape of fire from the burn area.
3. Provide a supervisory FFS employee and necessary hand tools and equipment during the prescribed burning operation at no cost to the applicant.
4. Will provide necessary personnel to patrol and safeguard the burned area until the burn is complete and considered 100 percent contained.
5. Will prepare and file the Accomplishment Report for the burn.

NOTE: The FFS will exercise the necessary skill and responsible care in performing the prescribed burn, but gives no warranty, expressed or implied, as to the effectiveness of the prescribed burning operation.

Applicant Name: _____

Applicant Signature: *[Handwritten Signature]* date: 10/19/21

FFS Representative Name: _____

FFS Representative Signature: _____ date: _____

This agreement is valid from _____ October 1st 2020 ___ to ___ September 30th 2021_____



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Appendix C: Forest Fire Service Field Office Locations

Division A Headquarters

240 Main St, Andover, NJ 07821
(973) 786-6350

Counties covered:

Bergen, Hudson, Hunterdon, Mercer, Morris,
Passaic, Somerset, Sussex, Warren,
Hopewell Township-Mercer County, Middlesex County north of the Raritan River

Division B Headquarters

PO Box 239
Brendan T. Byrne State Forest, Route 72, Mile #1
New Lisbon, NJ 08064
(609) 726-9010

Counties covered:

Burlington, Monmouth, Ocean, and Middlesex south of the Raritan River, Mercer County except
Hopewell Township

Division C Headquarters

5555 Atlantic Ave.
Mays Landing, NJ 08330
(609) 625-1121

Counties covered:

Atlantic, Camden, Cape May, Cumberland,
Gloucester, and Salem.