SECTION .2001 – PRESCRIBED BURNING COST SHARE PROGRAM

02 NCAC 60B .2001 ADMINISTRATION OF PROGRAM

(a) The purpose of the Program is to support prescribed burns on privately owned forestlands that will maximize the benefits set forth in Article 80 of Chapter 106. G.S. 106-966(2) states "'Prescribed burning' means the planned and controlled application of fire to naturally occurring vegetative fuels under safe and safe environmental and other conditions, while following appropriate precautionary measures that will confine the fire to a predetermined area and accomplish the intended management objectives."

(b) The manner and requirements of submitting an application for cost-sharing funds from the Prescribed Burning Cost Share Program are as follows:

(1) Any eligible privately owned forestlands may apply for program cost-sharing funds. Privately owned forestlands include a private individual, group, association, or corporation owning land suitable for forestry purposes, and where forestland is owned jointly by tenants in common or other type of joint ownership, the joint owners shall be considered as one eligible landowner.

(2) Application may be made by completing the required program application forms, which are available at North Carolina Forest Service ("NCFS") county and district offices as well as on the NCFS website at https://www.ncagr.gov/divisions/nc-forest-service/prescribed-fire/prescribed-burning-cost-share-program. Applications shall include identifying information from the landowner and/or consultant, a description of the practices needed, acres needed, practice rate, and applicant signature.

(3) A written burn plan relating to the application shall be submitted as part of the application packet. The written burn plan shall comply with the requirements of G.S. 106-968.

(4) The program cost share allocation methodology will be determined by the NCFS and made available to landowners and stakeholders via the NCFS's website (https://www.ncagr.gov/divisions/nc-forest-service/prescribed-fire/prescribed-burning-cost-share-program) in advance of program application sign-ups.

(5) As part of the prescribed burn project, approved practices may include, but are not limited to:

  (A) Silvicultural Burning – The use of prescribed fire to prepare areas for natural pine or oak regeneration, pre-commercial thinning to reduce competing tree density of undesirable species, and the use of prescribed fire to manage for insects or disease concerns to promote forest health.

  (B) Hazard Reduction Burning – The use of prescribed fire for the purpose of mitigating forest fuels to reduce the forestland risk from potential damage from wildfires.

  (C) Wildlife Habitat Burning – The use of prescribed fire for the purpose of maintaining or creating improved forest, or open field conditions for desired plants, species, and habitat.

  (D) Fireline Installation - installation of firelines must be accompanied by a completed prescribed burn on the associated acres in order for cost-share reimbursement pay-out to the landowner.

  (E) Other Practices - The Commissioner of Agriculture and Consumer Services ("Commissioner") may authorize additional practices associated with prescribed burning.

(6) The Commissioner or his or her designee shall review submitted applications requesting program funding. Applicants who start or complete installation of firelines and/or their prescribed burn without prior NCFS approval may not be eligible to receive funding. Landowners may not receive State cost-share funding on the same project acres where federal cost-share funds apply, or where burning is a federal program requirement for maintenance.

(c) Cost-sharing payments shall be made upon certification by the NCFS following completion of the practice(s) as prescribed in the written burn plan. Certification of completion shall include an assessment of installed and completed practices in relation to the requirements outlined in the burn plan, installation of appropriate best management practices to ensure soil protection and water quality, and assurance that the installed practice(s) are meeting all applicable environmental rules found in 02 NCAC 60C (Forest Practices Guidelines Related to Water Quality). The maximum allowable cost share reimbursement to participating landowners is seventy-five percent based on program rate per acre caps.

(d) Allocated funding for approved applications may be withdrawn as follows:

(1) Funds may be withdrawn at the end of the second State fiscal year in which the funds were allocated if the prescribed burning practices have not been completed.

(2) A 12-month extension may be granted by the NCFS when a project cannot be completed due to circumstances beyond the control of the landowner, including adverse weather conditions or contractors. The landowner shall provide documentation to the NCFS requesting funds availability to continue into a third state fiscal year.

(3) Recapture – The landowner shall repay all or part of the cost share funds paid to them if there is a:

(A) Failure to maintain the cost-shared acreage as forestland for three consecutive years following project completion (project completion coincides with the cost-shared acreage being prescribed burned); and/or

(B) Change of ownership of the cost-shared acreage prior to the end of the three-year maintenance period following project completion and the new landowner does not agree in writing to maintain the cost-shared acreage as forestland for the remainer of the original three-year maintenance period.

(e) Per G.S. 106-977, in any State fiscal year, the NCFS may use up to five percent of program appropriations for program administration and support. Program appropriations may also be utilized for position and operating expenses associated with one NCFS Prescribed Burning Coordinator full- time employee position. The duties of this position shall include Prescribed Burning Program outreach, quality control assistance, and coordination of burning partners statewide.

(f) Program applicants/participants may appeal disagreements, disapproval of applications, or decisions on unsatisfactory completion of practices to the NCFS. Appeals must be delivered in writing to the applicable NCFS District Office within 30 days of the initial NCFS postmarked communication decision. Final decisions on cost share reimbursement will be made by NCFS management.

History Note: *Authority G.S. 106-968; 106-969;*
Eff. August 1, 2026.