



TITLE XVI – BURN BAN ORDINANCE

**Alabama-Coushatta Tribe of Texas Comprehensive
Codes of Justice**

Adopted and Codified as Title XVI of the A-C, C.C.J. on March 23, 2026

ALABAMA-COUSHATTA TRIBE OF TEXAS
AN ORDINANCE ESTABLISHING A BURN BAN PROTOCOL ON TRIBAL LANDS

SECTION 1. PURPOSE

The purpose of this Ordinance is to protect the health, safety, welfare, and property of the Alabama-Coushatta Tribe of Texas and its members by establishing a process for declaring, managing, and lifting burn bans on Tribal lands in response to hazardous fire conditions and elevated fire danger indices.

SECTION 2. AUTHORITY

This Ordinance is enacted pursuant to the inherent sovereignty of the Alabama-Coushatta Tribe of Texas, and the authority vested in the Tribal Council under the Constitution and Bylaws of the Alabama-Coushatta Tribe of Texas, granting power to regulate activities affecting the safety and welfare of the Tribal community, and to protect Tribal natural resources and trust lands.

SECTION 3. FINDINGS

The Tribal Council finds that:

- Drought conditions, elevated fire indices, and persistent high temperatures increase the likelihood of uncontrolled wildfires on Tribal trust and fee lands.
- The Tribe has a duty to protect its lands, forests, waters, and community infrastructure from preventable wildfire damage.
- A clear and consistent protocol for determining when a burn ban is necessary will enhance community safety, improve coordination, and reduce wildfire risk.

SECTION 4. DEFINITIONS

- **Burn Ban:** A temporary prohibition on open burning activities.
- **Fire Indices:** Quantitative indicators including KBDI, ERC, and BI.
- **Deputy Tribal Administrator of Natural Resources:** Tribal official overseeing natural resources and fire management.
- **Open Burning:** Ignition of any material in the open air without a fully enclosed combustion chamber.

- **Tribal Lands:** All lands held in trust, restricted status, or fee ownership by the Alabama-Coushatta Tribe of Texas.

SECTION 5. IMPLEMENTATION AND DETERMINATION OF BURN BAN

1. The Deputy Tribal Administrator shall monitor fire weather indices, drought, and fire danger.
2. A Burn Ban may be declared by the Deputy Tribal Administrator when:
 - KBDI exceeds 600, or
 - ERC indicates elevated fire danger conditions. Ranges from 75th-90th Percentile, or
 - Immediate wildfire threat is forecasted.
3. Consultation between the Deputy Tribal Administrator of Public Safety, the Tribe's Emergency Management Director, Tribal Fire Chief, Tribal Police Chief, and the Tribal Wildland Fire Staff is required before the Deputy Tribal Administrator declares or lifts a Burn Ban.
4. Before declaring or lifting a burn ban on the Reservation, the Deputy Tribal Administrator shall inform the Tribal Council Chairperson or their designee.
5. Once the Tribal Council Chairperson or designee is informed, official notice implementing the ban or notice lifting the ban shall be distributed to all Tribal departments and the Tribal community in the format attached hereto.
6. The Deputy Tribal Administrator shall then coordinate with the Tribal Police Department, Fire Personnel, and Tribal Emergency Management for enforcement and monitoring of any ban.

SECTION 6. EXEMPTIONS

- Ceremonial/cultural fires with supervision.
- Authorized prescribed burns with an approved burn plan.
- Cooking fires using gas/charcoal grills in designated areas with safety measures.

SECTION 7. ENFORCEMENT AND PENALTIES

- Enforcement by Tribal Police or designated compliance officers.
- Penalties in Appendix B.
- Repeated violations may be referred to the Tribal Court.


SECTION 8. EFFECTIVE DATE

This Ordinance takes effect immediately upon Tribal Council approval and remains in effect until amended or repealed.

Adopted by the Tribal Council on the 23rd day of March, 2026.

Tribal Council Chairperson:  _____

Tribal Council Secretary: Melanie Battise

Deputy Tribal Administrator of Natural Resources:  _____

APPENDIX A: FIRE INDICES DEFINITIONS

- **KBDI:** Keetch-Byram Drought Index (KBDI) is an index used to determine forest fire potential. The drought index is based on a daily water balance, where a drought factor is balanced with precipitation and soil moisture (assumed to have a maximum storage capacity of 8 inches) and is expressed in hundredths of an inch of soil moisture depletion.
- The drought index ranges from 0 to 800, where a drought index of 0 represents no moisture depletion, and an index of 800 represents absolutely dry conditions. Presently, this index is derived from ground-based estimates of temperature and precipitation derived from weather stations and interpolated manually by experts at the Texas A&M Forest Service (TAMFS) for counties across the state.

This relationship is reflected in the following table:

- 0 - 200: Soil moisture and large class fuel moisture are high and do not contribute much to fire intensity. This is typical of early spring following winter precipitation.
 - 200 - 400: Fuels are beginning to dry and contribute to wildfire intensity. Heavier fuels will still not readily ignite and burn. This is often seen in late spring or early summer.
 - 400-600: Lower litter and duff layers contribute to fire intensity and will burn actively. Wildfire intensity begins to increase significantly. Larger fuels could burn or smolder for several days. This is often seen in late summer and early fall.
 - 600 - 800: Often associated with more severe drought with increased wildfire occurrence. Intense, deep-burning fires with extreme intensities can be expected. Live fuels can also be expected to burn actively at these levels.
- **ERC:** The energy release component (ERC) is an index from the National Fire Danger Rating System (NFDRS) that measures the potential heat release (in BTU per square foot) of a fire. It reflects the cumulative effect of weather on live and dead fuels, with values increasing as fuels dry out. A higher ERC indicates a greater potential for intense fire behavior.
 - **Fire Danger Levels:** Low, Moderate, High, Very High, Extreme.

APPENDIX B: ENFORCEMENT PENALTIES

| Violation | First Offense | Second Offense | Subsequent Offenses |
|---------------------------|--------------------------|--------------------------|---------------------------------------|
| Unauthorized open burning | Warning/fine \$250 | Fine \$500/restitution | Fine \$1,000/referral to Tribal Court |
| Refusal to comply | Fine \$500/education | Fine \$1,000/suspension | Referral to Tribal Court |
| Causing wildfire/damage | Restitution/fine \$5,000 | Referral to Tribal Court | As determined by Tribal Court |

Note: Fines shall be directed to the Alabama-Coushatta Relief Fund.



ALABAMA-COUSHATTA TRIBE OF TEXAS

571 State Park Road 56 • Livingston, Texas 77351 • (936) 563-1100

Tribal Chiefs

Principal Chief
Chief Kanicu
Donnis Battise

Second Chief
Chief Maanaatiika
Herbert Johnson, Jr.

Tribal Council

Ricky Sylestine, Chairman
Nita Battise, Vice-Chairperson
Melanie Battise, Secretary
Crystal Stephenson, Treasurer
Tina Battise, Member
Cecilia Flores, Member
Yolanda Poncho, Member

March 23, 2026

ALABAMA-COUSHATTA TRIBAL COUNCIL ACITC Resolution #2026-21

PERTAINING to the Tribal Council exercising its delegated powers under Article VI, Section I – Powers, Constitution and Bylaws of the Alabama-Coushatta Tribe of Texas; and,

WHEREAS, the Tribal Council seeks to provide or assist in the provision of social, cultural, legal, economic and other needs for the Tribal members; and,

WHEREAS, the Tribal Council, as the governing body of the Tribe, has the power to exercise its full authorities, rights and responsibilities available under its sovereign nation status; and,

WHEREAS, The Tribal Council has reviewed the attached Burn Ban Ordinance, which establishes a process for declaring, managing, and lifting burn bans on Tribal lands; and

WHEREAS, Extreme fire danger conditions, elevated fire indices, drought, and weather patterns pose a risk of uncontrolled wildfires that could endanger Tribal citizens, property, cultural sites, and natural resources; and,

WHEREAS, A clear protocol for declaring and enforcing burn bans will enhance preparedness, reduce wildfire risk, and ensure public safety on Tribal lands; and,


WHEREAS, The attached Burn Ban Ordinance shall hereinafter become Title XVI of the Tribe’s Comprehensive Codes of Justice and made publicly available to Tribal Members and the general public.

NOW THEREFORE BE IT RESOLVED that the Tribe hereby adopts, effective immediately the attached Burn Ban Ordinance designating it as Title XVI of the Tribe’s Comprehensive Codes of Justice;

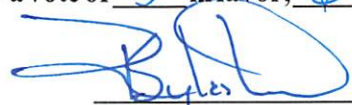
BE IT FURTHER RESOLVED All Tribal members, departments, and agencies are directed to comply with the provisions of the Burn Ban Ordinance and to assist in its enforcement and public education efforts.

CERTIFICATION

I, the undersigned, Chairperson of the Alabama-Coushatta Tribe of Texas, do hereby certify that the Alabama-Coushatta Tribal Council is composed of seven (7) members, of whom 5 were present at a meeting duly called in accordance with Article V of the Tribal Bylaws on March 23, 2026 and that the Tribal Council adopted this Resolution by a vote of 5 in favor, 0 opposed, and 0 abstained.



Melanie Battise
Secretary, Tribal Council



Ricky Sylestine
Tribal Council Chairwoman