

APA-1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. _____ Department or Agency Forestry Commission

Rule No. 390-X-6-.05

Rule Title: Minimum Standards For Prescribed Burning Plans (Repeal)

New Amend Repeal Adopt by Reference

Reciprocity (New)

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

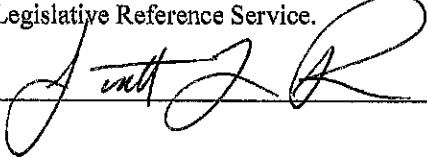
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 
Date 2/18/2015

(DATE FILED)
(STAMP)

APA-2
07/04

**ALABAMA FORESTRY COMMISSION
FOREST PROTECTION DIVISION**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Forestry Commission

RULE NO. & TITLE: 390-X-6-.05 Minimum Standards For Prescribed Burning Plans
[Repealed]
390-X-6-.05 Reciprocity [New Rule]

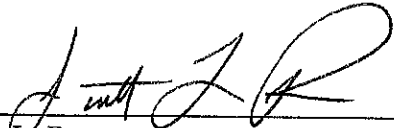
INTENDED ACTION: To repeal the existing rule and replace it with a new rule.

SUBSTANCE OF PROPOSED ACTION: The existing rule regarding minimum standards for prescribed burning plans would be repealed. In its place, a new rule would be promulgated which specifies the process through which prescribed burn managers certified in other states may become certified in Alabama through reciprocity. This rule would allow such reciprocity for prescribed burn managers certified in states having training standards which meet or exceed those in place in Alabama.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Views may be presented orally or in writing on or before April 6, 2015. Such input should be addressed to John Goff, Forest Protection Division Chief, Alabama Forestry Commission, 513 Madison Avenue, Montgomery, Alabama 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 6, 2015

CONTACT PERSON AT AGENCY: John Goff, Forest Protection Division Chief, Alabama Forestry Commission, 513 Madison Avenue, Montgomery, Alabama 36104, (334) 240-9335.



Scott L. Rouse
Secretary of Administrative Procedure

ALABAMA FORESTRY COMMISSION
FOREST PROTECTION DIVISION

CHAPTER 390-X-6
PRESCRIBED BURNING CERTIFICATION AND PRESCRIPTION

390-X-6-.05 Minimum Standards For Prescribed Burning Plans
[REPEALED].

1. Personal Information to include:
 - a. name of property owner
 - b. owner's mailing address
 - c. owner's phone number
 - d. same information on individual preparing the plan and/or executing the burn
 - e. prescribed burn manager certification number
2. Description of area to be burned:
 - a. county
 - b. section, township, range
 - c. acres to be burned
 - d. type and size of overstory
 - e. type and size of understory
 - f. fuel type and amount
 - g. topography
3. Purpose of burn
4. Pre-burn information to include:
 - a. needed manpower and equipment
 - b. firing techniques to be used
 - c. list of areas around site that could be adversely impacted by smoke from burn*
 - d. special precautions taken

*As determined by "A Smoke Screening System for Prescribed Fires in Alabama."

5. Range of desired weather information to include:
 - a. surface wind speed and direction
 - b. minimum and maximum relative humidity
 - c. maximum temperature
 - d. transport wind speed and direction
 - e. minimum mixing height
 - f. dispersion index
6. Starting time and completion of ignition
7. Sketch of area to be burned
8. Signature of Burn Manager, dated and notarized or witnessed
9. Burn Permit Number

Author: John Goff

Statutory Authority: Code of Ala. 1975, §§ 9-3-9, 9-13-273(c)

History: May 20, 1996; **Amended:** November 19, 2003; **Repeal**

proposed: February 27, 2015.

ALABAMA FORESTRY COMMISSION
FOREST PROTECTION DIVISION

CHAPTER 390-X-6
PRESCRIBED BURNING CERTIFICATION AND PRESCRIPTION

390-X-6-.05 Reciprocity [NEW RULE].

Several other states have prescribed burning laws and certified prescribed burn manager requirements that are similar to Alabama's. A list of states with which Alabama currently has reciprocity agreements will be available on the Alabama Forestry Commission's website at all times. Reciprocity concerning certification programs in states not listed will be evaluated as needed. Prescribed burn managers who are certified in other states where training requirements meet or exceed Alabama's standards may be certified by submitting an Application for Prescribed Burn Manager Certification (FC-18A), proof of certification in the other state, and a non-refundable certification fee to:

Alabama Forestry Commission
Attn: CPBM Program
P.O. Box 302550
Montgomery, AL 36130-2550

Author: John Goff

Statutory Authority: Code of Ala. 1975, §§ 9-3-9, 9-13-273(c)

History: May 20, 1996; **Amended:** November 19, 2003; **New Rule proposed:** February 27, 2015.