

PRESCRIBED BURNING BOARD MEETING
October 31, 2013, 1:00 p.m.
Stephen F. Austin Bldg, 11th Floor
1700 N. Congress, Executive Conference Room
Austin, Texas

Board Members in attendance:

Dr. Butch Taylor
Butch Thompson
Linda Campbell
Rusty Ray
Rich Gray
Brian Hays
Randy Rivera
Justin Penick
Rooter Brite

TDA Staff in attendance:

Stephen Dillon
Lance Williams
Jessica Escobar
Travis Jez

Guests:

Verl Cash

Board Members via teleconference:

Dr. Lynn Drawe

The first item of business was the calling of the meeting of the Prescribed Burning Board (PBB) to order at approximately 1:00 p.m. by Stephen Dillon, with the Texas Department of Agriculture (TDA), due to Chairman, Dr. Lynn Drawe, not being able to attend the meeting. Seeing that a quorum of members was found to be present, Mr. Dillon explained to the Board that in Chairman Drawe's absence a chairman must be designated for the meeting among those present. A motion was made and seconded for Dr. Butch Taylor to serve as chairman for the meeting, motion passed.

The second item of business was approval of the minutes of the previous Board meeting held in Austin, Texas on June 13, 2013. A motion was made and seconded; the board unanimously approved the minutes as amended.

The third item of business was the discussion of the rule changes to 4 TAC Chapters 225-229. Due to the lengthy amount of documents to consider on the rule changes in addition to the comments received, a motion was made and seconded to appoint a sub-committee to meet and go through the comments one by one and then come back with recommendations to the Board at the next meeting. Motion passed. Another motion was made and seconded to appoint; Linda Campbell, Dr. Taylor, Justin Penick, Rich Gray, Dr. Drawe, Rooter Brite and Brian Hays to the sub-committee. Motion passed.

The fourth item discussed was assigning a charge to the PBB Advisory Board (AB) which involved the difficulty of certified and insured commercial burn managers in obtaining insurance coverage, particularly those burn managers that are not forestry companies or working with the Texas A&M Forest Service. Upon review of a letter

submitted by a commercial burn manager in West Texas, the Board decided to assign the AB with looking into the issue. A motion was made and seconded to nominate Mr. Penick to work with TDA staff in drafting the charge to send out to the AB for review and action. Motion passed.

The next item was a request from TDA staff of the Board to approve protocol that in the event of a burn manager who wants to change classification from commercial to private, that TDA staff be allowed to require the burn manager to submit a private application which will result in the commercial account being closed and a new account as a private burn manager be established. This new private account will expire when the commercial account was set to expire. However, the Board would not need to approve the application; it would just be for setting up a new file as a private burn manager as long as the insurance requirements are met as well. A motion was made and seconded to approve such protocol. Motion passed.

The sixth item discussed was an update on the Texas Commission on Environmental Quality (TCEQ) rule amendment which adds hazard mitigation as an exception for prescribed burning. Lance Williams, with TDA, reported that as of October 31, 2013 the comment period had passed and four comments were submitted by Sierra Club, Harris County Attorney, Harris County Pollution Control District and the U.S. EPA Regional Office in Dallas. Mr. Williams further reported that the comments would be available on the TCEQ website beginning December 20, 2013 and the TCEQ Commission would consider adoption of the rule change at its next meeting on January 15, 2014.

The next item presented was an update on the Texas Wildfire Prevention Task Force Insurance Sub-Committee by Mr. Williams, which has been looking for ways to encourage wildfire mitigation in Texas. One idea the sub-committee is exploring according to Mr. Williams is working with insurance companies to possibly provide premium discounts to home owners as a way to incentivize wildfire mitigation by property owners. Mr. Williams further explained the main issue the sub-committee is working through is how to verify property owners are doing the wildfire mitigation in order to qualify for a discount. The sub-committee is working with insurance industry representatives and the Texas A&M Forest Service to review data and possible mechanisms for verification. Mr. Williams said he would keep the Board updated on any new developments in the coming months.

Discussion of other business was then brought before the Board of which there was none.

Chairman Taylor next opened up the meeting for public comment to which no one presented any comments.

The Board then took action on setting the date of the next meeting. A motion was made and seconded for setting the next meeting for January 22, 2014. Motion Passed.

Upon motion and second, the meeting was adjourned.