



Senate Bill 762

Certified Burn Manager Administrative Rules

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Actions to date

- July 21, 2021 – Board of Forestry presentation regarding overview of SB762.
- August 2021 – May 2022 – A Rules Advisory Committee assisted the Department in drafting the administrative rules pertaining to the Certified Burn Manager program.
- July 20, 2022 - Board approved draft rules to conduct public hearings.
- August 2022 – Department conducted public hearings
- November 16, 2022 – Board presentation of proposed final rules



Overview

- SB762 Requirements
- Overview of public comment process
- Summary of comments received
- Modifications to draft rules presented in July
- Next Steps



Prescribed Fire

SB 762, Section 25 - 26

- Requires the Board of Forestry to establish by rule a Certified Burn Manager Program.
- Required consultation with the Oregon Prescribed Fire Council.
- Required a progress report to the Legislative assembly.
- Required clarification regarding joint permitting of cross property boundary prescribed fire use.



Overview of Public Comment Process

- 3 virtual public hearing conducted:
 - August 23 – 10 attendees
 - August 24 – 5 attendees
 - August 25 – 9 attendees
- The written comment period opened August 1 through August 31.



Summary of Comments Received

- Three written comments were received
- No comments were provided at the public hearings.
- Primary concerns:
 - Conducting prescribed burns during fire season.
 - Lack of coordination requirement in the CBM rules when burns occur that could impact a community.
 - Air quality concerns



Summary of changes to draft rules

- Common word definitions were removed. Additionally, previously defined words that were only used once were explained through expanding context.
- OAR 629-042-1025(1)(b) was modified from 2 years to 3 years for consistency.
- “State Forester’s Representative” was replaced with “Forester”.
- Additional appeal language was added in multiple places where decisions were made by the Forester.
- Tense, structure, and word edits to improve clarity and readability.



Next Steps

- November 2022
 - ODF submits final proposed rule with public comments to Board of Forestry for approval.
 - Submit rule to Secretary of State and Legislative Counsel for filing.
- December 2022 – Solicit interest from the public regarding serving on the Certified Burn Manager Advisory Committee.
- February 2023 – Hold first Certified Burn Manager Advisory Committee meeting
- Spring, 2023 – Program launch



Staff Recommendation

- The Board approves adoption of OAR 629-042-1000 through OAR 629-042-1070 with the proposed changes.



The logo of the Oregon Department of Forestry is a circular seal. It features a central shield with a landscape of mountains, trees, and a river. The word "OREGON" is arched across the top, and "DEPARTMENT OF FORESTRY" is arched across the bottom.

Questions?

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