

APA-1  
07/04

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control No. \_\_\_\_\_ Department or Agency Forestry Commission  
Rule No. 390-X-6-.06  
Rule Title: Minimum Standards For Prescribed Burning Plans  
 New \_\_\_\_\_ Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

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

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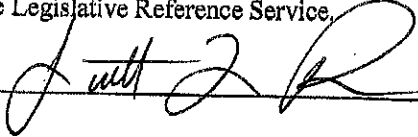
Does the proposed rule have an economic impact? NO

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.

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**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-.06 Minimum Standards For Prescribed Burning Plans  
[New Rule]

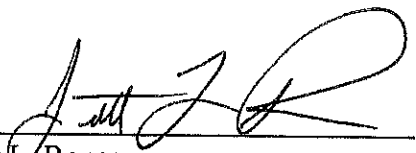
INTENDED ACTION: To adopt a new rule.

SUBSTANCE OF PROPOSED ACTION: This new rule would specify the minimum content requirements for prescribed burning plans 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 U. Rouse  
Secretary of Administrative Procedure

ALABAMA FORESTRY COMMISSION  
FOREST PROTECTION DIVISION

CHAPTER 390-X-6  
PRESCRIBED BURNING CERTIFICATION AND PRESCRIPTION

**Chapter 390-X-06-.06 Minimum Standards for Prescribed Burning Plans [NEW RULE].**

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 to include:
  - (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 (as determined by the publication "A Smoke Screening System for Prescribed Fires in Alabama")
  - (d) Special precautions taken
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:** **New Rule proposed:** February 27, 2015.