

HB 2733 -- Redline

Substitute to Bill -- Establishing a prescribed burn certification program at the department of natural resources.

Deletions ~~struck~~ · Insertions underlined

~~H 4525.1~~SUBSTITUTE H-3739.1~~HOUSE~~ HOUSE BILL 2733 State of Washington 65th Legislature 2018 Regular Session By House Agriculture & Natural Resources (originally sponsored by Representatives Orcutt, Chapman, Maycumber, Tharinger, Dent, Kretz, Blake, Fitzgibbon, and Muri) ~~READ~~ Muri ~~Read~~ FIRST ~~first~~ TIME ~~time~~ 02/02/18. ~~AN~~ 01/15/18. ACT Relating to establishing a prescribed burn certification program at the department of natural resources;

~~and~~ Referred adding new sections to chapter ~~Committee~~ 76.04 on RCW. ~~BE~~ Agriculture ~~IT~~ & ENACTED Natural Resources. ~~AN THE ACT~~ LEGISLATURE Relating OF THE STATE OF WASHINGTON: NEW SECTION. Sec. 1. A new section is added to chapter establishing 76.04a RCW prescribed to burn read certification as program follows: In at support of the goals and strategies identified in the "20-Year Forest Health Strategic Plan" and pursuant to the forest health treatment framework in RCW 76.06.200, the department shall of create natural aresources; prescribed fire program.

~~The~~ and prescribed adding fire a program new shall section consist to of chapter the 76.04 following RCW. BE elements IT and ENACTED activities: (1) BY Provide THE prescribed LEGISLATURE fire OF training THE STATE OF WASHINGTON: NEW SECTION. Sec. 1. A new section is added to chapter 76.04 RCW to read as follows: (1) The department must create a prescribed fire burn practitioners, manager landowners, certification and program other for interested those parties who practice prescribed burning in the state.

~~Training must include a prescribed burn manager certification program for those who practice prescribed burning in the state.~~

~~and contingencies;~~ (2) An opportunity for burn managers to participate in the prescribed fire council and other appropriate prescribed fire work groups and committees; (3) An opportunity for burn managers to participate in the smoke management plan update and other relevant regulatory processes that affect prescribed fire; (4) Evaluate the potential of expanding the application of prescribed fire in Washington on private, state, federal, and tribal lands in achieving "20-Year Forest Health Strategic Plan" goals; (5) Engage in monitoring and research to evaluate the benefits and effectiveness of prescribed fire partnering with other agencies and research institutions on relevant monitoring and research activities; (6) Participate in interagency burn teams and prescribed fires as appropriate for training and meeting "20-Year Forest Health Strategic Plan" goals, to conduct burns which may treat lands across multiple ownerships; (7) Facilitate or support interagency cooperative burning and training exchanges for purposes of live fire training experience and meeting land management goals; (8) Develop burn plans where appropriate. NEW SECTION. Sec. 2. A new section is added to chapter 76.04 RCW to read as follows: (1) The department must create a prescribed burn manager certification program for those who practice prescribed burning in the state.

~~The certification program must include training on all relevant aspects of prescribed fire in Washington including, but not limited to, the following:~~

~~Legal requirements;~~

~~safety;~~

~~weather;~~

~~fire behavior;~~

~~smoke management;~~

~~prescribed fire techniques;~~

~~public relations;~~

~~planning;~~

~~Nothing in this section may be construed as creating a mandatory prescribed burn manager certification requirement to conduct prescribed burning in Washington.~~ (3) No civil or criminal liability may be imposed by any court, the state, or its officers and employees, ~~on~~ or a prescribed burn manager certified under the program created under subsection (1) of this section, for any direct or proximate adverse impacts resulting from a prescribed fire conducted under the provisions of this chapter except upon proof of gross negligence or willful or wanton misconduct. (4) The department may adopt rules to create the prescribed burn manager certification program and to set periodic renewal criteria.

~~The department may, in its own discretion, develop an equivalency test for experienced prescribed burn managers.~~ (5) managers. ~~---~~ Certified ~~END~~ prescribed ~~---~~ burn managers may be issued burn permits with modified requirements in recognition of their training and skills.

~~In such cases, normal smoke management and fire risk parameters apply.~~ ~~END~~