

June 6, 2023

## Prescribed Burning Board

Texas views the use of prescribed fire to manage private lands as an important tool and process for natural resource managers and landowners while meeting valued stewardship goals prioritized in Texas Water Code Sec. 1.004 (b) and Natural Resources Code Sec. 153.

Sec. 1.004. FINDINGS AND POLICY REGARDING LAND

(b) "Land stewardship," as used in this code, is the voluntary practice of managing land to conserve or enhance suitable landscapes and the ecosystem values of the land. Land stewardship includes land and habitat management, wildlife conservation, and watershed protection. Land stewardship practices include runoff reduction, prescribed burning, managed grazing, brush management, erosion management, reseeding with native plant species, riparian management and restoration, and spring and creek-bank protection, all of which benefit the water resources of this state.

Sec. 153.002. LANDOWNER'S RIGHT TO CONDUCT BURNS NOT LIMITED.

This chapter does not limit a landowner's right to conduct burns on the landowner's property.

Our legislature created the Certified and Insured Prescribed Burn Manager (CIPBM) program to encourage and embrace the safe implementation of fire through qualified professionals.

Sec. 153.048. CERTIFIED AND INSURED PRESCRIBED BURN MANAGERS.

The use of fire's natural process contributes to the mitigation of wildfire potential due to catastrophic fuel loads, combats and suppresses woody brush encroachment into grasslands and savannas, promotes timber stand health, restores native plant communities, enhances habitat conditions for livestock and wildlife, and promotes overall ecosystem resilience, stability, and integrity across all of Texas' ecoregions. Fire is the one natural process mostly absent from our landscape outside of wildfires. Fire manages the landscape as a whole and is the only sustainable practice for managing unwanted brush, trees, and cacti while promoting the health and growth of desirable, diverse, and productive plant communities.

The CIPBM certification affords licensees the privilege of burning during a burn ban, limited responsibility for smoke, and the opportunity to promote FireWise communities to landowners interested in the use of fire with the safety of legislatively enacted liability protection.

The training, experience, and Prescribed Burning Board approval required to become certified is a strong step forward in providing experienced, safe handling of prescribed fires on private land. Accompanied with the required \$1 million / \$2 million liability policy, a CIPBM is

responsible for their burning actions. Legislatively, a landowner's use of a Commercial CIPBM provides the landowner with protection from liability. Being certified also affords the licensee specific Texas Commission on Environmental Quality (TCEQ) Outdoor Burning laws and regulations regarding wind speed and fire start times.

Often conditions which trigger a county to enter a burn ban are also the same conditions which would manifest in the best results for a landowner wanting to reclaim or maintain plant communities encroached by invasive understory or undesirable brush and cactus. The ability of a CIPBM to burn during county burn bans helps provide private property owners with an effective strategy using the natural process of fire that all ecoregions of Texas evolved with and routinely experienced prior to 1850s.

The Prescribed Burning Board (PBB) meets quarterly and consists of representation from Texas A&M Forest Service, Texas Parks and Wildlife, TCEQ, Texas A&M AgriLife Extension Service, Texas A&M AgriLife Research, Texas Tech University, Texas State Soil and Water Conservation Board, and 5 landowners serving a two-year term. The PBB ensures that all CIPBMs have adequate training through their Lead Burn Instructors (LBI) meeting all standards of care set forth by Texas Natural Resources Code, Prescribed Burning Board Rules, Prescribed Burning Board Enforcement Program, County Rules for Outdoor Burning, and Licensing (found at: [www.texasagriculture.gov](http://www.texasagriculture.gov)).

We thank you for your dedication and passion for landowners and the successful execution of a natural, ecological process. We can only live with fire, and when in steward hands, becomes a productive and sustainable process ensuring future agricultural and natural resource success.

Prescribed Burning Board  
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