

Illinois Prescribed Burn Manager Certification Board
Minutes of the 1st Meeting
(Approved at the 2nd Meeting)

Illinois Department of Natural Resources
Mallard Room
One Natural Resources Way
Springfield, IL 62702

Wednesday, September 28, 2010

1-1) Call to Order, Roll Call, and Introduction of Attendees

The meeting was called to order at 1:32 p.m.

Members Present: Paul Brewer, Illinois Department of Natural Resources (IDNR), Office of Resource Conservation (ORC) Division of Wildlife Resources; Randy Heidorn, Illinois Nature Preserves Commission (INPC); Michael Moos, Office of the State Fire Marshal, Manager of Homeland Security; Bob Szafoni, IDNR, ORC, Division of Natural Heritage; and Tom Wilson, IDNR, ORC, Division of Forestry.

Others Present: Debbie Reider, INPC

1-2) Adoption of Agenda

It was moved by Brewer, seconded by Szafoni, and carried that the agenda be adopted as presented.

1-3) Proposed FY 2011 Meeting Schedule

December 15, 2010 – IDNR, Mallard Room, Springfield – 10:00 a.m.

March 17, 2011 – IDNR, Lake View Conference Room A, Springfield – 10:00 a.m.

June 14, 2011 – IDNR, Lake View Conference Room A, Springfield – 10:00 a.m.

It was moved by Szafoni, seconded by Brewer, and carried that the Fiscal Year 2011 meeting schedule be approved as presented.

1-4) Review of Responsibilities and Authorities of the Illinois Prescribed Burn Manager Certification Board

Randy Heidorn stated that the Illinois Prescribed Burn Manager Certification Board (IPBMCB) is considered a public body and is required to conduct business under the Open Meetings Act. He stated that four members of the IPBMCB serve on the IDNR's internal prescribed fire committee, and these members will need to segregate those activities to avoid violating the Open Meetings Act. The IPBMCB was created as a way to implement the Illinois Prescribed Burning Act (IPBA). The composition of the IPBMCB is defined Under Title 17 of the IPBA, Section

1565.10 Definitions. The Section states: “Prescribed Burn Manager Certification Board” is a Board of five representatives whose job responsibilities include natural areas stewardship, wildlife habitat management or forest management and who have experience with prescribed burn management or incident command. The Board shall be made up of three representatives designated by the Director, one representative designated by the Illinois Nature Preserves Commission and one representative designated by the Office of the State Fire Marshal.”

Mr. Heidorn reported on the responsibilities of this Board which are listed in the Administrative Rule under Section 1565.7 Administration of the Act: e) “An organization or individual may petition the Department to approve coursework and training programs as an Illinois Prescribed Burn Manager Course by submitting to the Illinois Prescribed Burn Manager Certification Board a course syllabus, length of course and trainer qualifications demonstrating that the course meets the standards described in Section 1565.20(a)(1). The Board may require the submitter to provide additional information necessary to evaluate the program. The Board shall make a recommendation to the Director to approve or not approve the submitted program as an Illinois Prescribed Burn Manager Course.” f) “periodically, but not less than annually, the Illinois Prescribed Burn Manager Certification Board shall meet to review prescribed burn reports submitted under this Part, review requirements of prescribed burn certification in other states and make a recommendation to the Director on whether other states’ certification programs meet or exceed requirements in this Part to receive an Illinois Certified Prescribed Burn Manager Certificate; review this Part and make recommendations to the Director for any needed changes; and prepare reports on prescribed burning at the request of the Director.”

Section 1565.60 Records and Reporting of the Act under subsection (c) states: “If there are any injuries that require professional medical attention or damage to public or private property in excess of \$500, or if the prescribed burn becomes an escaped fire, the certified prescribed burn manager shall supply a copy of the prescribed burn report to the landowner, responding emergency agencies and, within 45 days after completion of the prescribed fire, to the Illinois Department of Natural Resources, Attention: Prescribed Fire Reports, One Natural Resources Way, Springfield, IL 62702-1271.” Mr. Heidorn stated that another way to receive burn reports is when someone submits a burn report as part of their certification package. There is no requirement under the rules for burn reports to be submitted other than situations described above. There is one exception because the IDNR does have the authority to request burn reports.

Mr. Heidorn stated that the IPBMCB also reviews the administration of the IPBA and make recommendations to the Director for changes in the Administrative Rule.

The actual certification is the authority of the Director of the IDNR. IDNR staff that function in that capacity are not doing IPBMCB business.

1-5) Selection of Presiding Officer and Discussion of How the Committee Will Operate

Mr. Heidorn stated that the INPC volunteered to get the IPBMCB started, and it is willing to continue to support this Board.

Tom Wilson suggested that Mr. Heidorn hold the position of presiding officer for the time being. He also suggested that a process be implemented for a two year rotation of the presiding officer. This would allow for continuity and a plan for the transition.

Paul Brewer and Michael Moos agreed with this suggestion.

Mr. Heidorn stated that the quorum issue needs to be decided. He stated that to avoid a violation under the Open Meetings Act, any group has to be smaller than a majority of a quorum. If this group decides that a quorum for the IPBMCB is four, then a majority becomes three.

Mr. Wilson stated that the downside to putting the quorum at four, when there are only five members, is in the future we may have difficulty having a quorum at a particular meeting.

Mr. Moos asked if IDNR legal counsel has given an opinion on a quorum via conference calls.

Mr. Heidorn stated that the IPBMCB could adopt a bylaw to allow that, but he was not sure at what level this would have to be done. The Open Meetings Act tightened up the ability to use conference calling and electronic media. The person on the conference call would have to be in an open meeting forum at the location of the conference call. He stated he would talk with IDNR legal counsel to see how approval could be given for this.

Mr. Wilson suggested that two days prior to each meeting a poll be taken to see who was planning to attend the meeting. If a quorum could not be obtained, the meeting could be canceled.

Mr. Moos stated that due to budget constraints, it may be difficult to travel to the meetings.

Mr. Moos suggested that IDNR legal counsel talk with Maureen Cunningham, legal counsel for Illinois Emergency Management Agency (IEMA).

Mr. Heidorn stated that if a meeting is canceled and rescheduled, the notice of the new meeting date must be published at least two weeks in advance.

Mr. Wilson asked about the possibility of adding one or two more members from the private community and/or from a forest preserve district.

Mr. Heidorn stated a rule change would need to be made in order to increase the size of the IPBMCB. One of the goals of this Board was to keep it a body of people who are within State government, however, a representative from the Illinois Fire Service Institute (IFSI) would be beneficial due to its broader representation and experience with prescribed fire.

Mr. Wilson stated that this could be something that could be put on the agenda for the December 15, 2010 meeting.

It was moved by Moos, seconded by Szafoni, and carried that the following resolution be adopted:

Randy Heidorn will continue as the Presiding Officer of the Illinois Prescribed Burn Manager Certification Board for a two year term, rotation to be set. The quorum will be set at four members. The ability to utilize electronic meeting capabilities will also be investigated.

(Resolution 1 – 1)

1-6) Status of Certification of Prescribed Burn Manager Process

Mr. Wilson provided an example of the certification certificate to be given to the certified burn managers. He stated that approximately 180 certifications have been processed. There has been some problem with the database and getting the certificates printed. Approximately 250 applications have been received, and a few of those applications were sent back because additional information was required. He stated that he has received a lot of positive comments on the certificates, and the recipients particularly like the wallet identification card. At this point in time, the actual list of certified burn managers is not available.

Mr. Wilson stated that he has received several calls about what the law does and does not do. Some people thought it was requirement to have this certification. In an effort to alleviate the misinformation, he put together a fact sheet, and it was sent out via the State Fire Marshal's web serve to all the fire chiefs all over the State. The fact sheet generated more calls. He stated that he anticipates a big rush of applications at the end of the year. He felt that 250 applications was a good number for the first eight months. Mr. Wilson stated that applications are generally submitted directly him, and he does a quick overview. The application then goes to Mr. Heidorn or Mr. Brewer. Once that second review has been completed, the Division of Forestry clerical enters the information into the database. The original paperwork is then placed into a paper file. An electronic file would be something that could be done in the future.

Mr. Heidorn stated that five applications have used the apprentice program. One person used the federal certification, along with the affidavit saying they met the qualifications to be grandfathered in.

Mr. Moos asked if there was an expiration date for the certification.

Mr. Wilson stated that there was no expiration date, and that was something he would like to discuss at a later date. He felt that people should be current with the tactics and equipment.

Mr. Heidorn stated that one of the reasons there was no expiration date is because there may be a lot of people who may not be the ones on the ground lighting the fires, but so many of them are in the chain of review of the prescribed burn plans within the organizations. He stated that he would fall into that classification.

Mr. Brewer suggested that some type of continuing education requirement be adopted.

1-7) Request Pursuant to 17 Illinois Administrative Code 1565.70 (e) for Approval of the Midwest Prescribed Fire Crew Training as a Substitute for the Requirement of S130,

and S190 for Certification of Prescribed Burn Managers under 17 Ill. Admin. Code 1565.20 (a) (1)

Mr. Heidorn stated he was approached at a meeting by Ed Collins, McHenry County Conservation District, Jim Anderson, Lake County Forest Preserve District, and Bill Kleiman, The Nature Conservancy, with a request to have this subject reviewed. He stated that this substitution has been used for a number of years in preparation county agencies participating in prescribed burns prior to the Act. This was the basic safety training that a lot of the volunteers were given. The National Fire Protection Association (NFPA) was used as a basis for the Midwestern course was written in 2001. The National Wildfire Coordinating Group (NWCG) also uses that standard for S130 and S190 required for certification under the Act.

Mr. Wilson stated one of the issues he has with this was there were no standards for instructors. To be a lead instructor for the NWCG for S130 and S190, the individual has to be red carded as a single resource crew boss, engine boss, etc. That assures that the individual has at least a minimum level of experience and training and can adequately present that material and answer questions as they come up. He would like to see some minimum instructor standards.

Mr. Heidorn stated it was possible that the full instructor's guide provided for this meeting was not available because it seemed to be scant, and there was no table of contents.

Mr. Brewer stated that the S130 and S190 courses cover safety. In some ways, when talking about prescribed burns in Illinois under the kind of fuel conditions, the Midwest Course may provide a slightly higher level of safety than just S130 and S190. He stated that he agrees that there needs to be some standard for instructors.

Mr. Wilson stated that it was his opinion that the majority of the people who have taught this in the past were people with high levels of competency. He stated that he had made a recommendation when he first took over the program seven or eight years ago that this be sent to the NWCG because they have a certification process.

Mr. Heidorn stated that it was his recollection that the NWCG may not have been receptive to this process.

Mr. Wilson stated that limiting the courses to S130 and S190 may be an inadequacy. He felt it was a good start, but at some point in time, it should be expanded. Another class in fire behavior, wildland and urban interface class, and smoke management would be excellent classes for burn managers.

Mr. Szafoni stated that he agreed with Mr. Wilson and Mr. Brewer regarding some sort of requirements for instructors. At a much more basic level, the IBPBMCB will conceivably be asked to do this again when it evaluates other states' programs. He felt this was a rather formal process. He also felt that guidelines were needed to determine how a particular program meets S130, S190, I100 since it was specifically written as these courses or their equivalent. This Board will have to look at those three courses to determine the most salient features that are taught in each one. If another state wants its course to be recognized as an equivalent, it will

have to meet a certain outlined standard. If that was not done, there would be no way to document how the decision was made.

Mr. Moos stated that from an educational point, he would like to know what baseline a particular course was judged on. He suggested that IFSI could be brought in. A representative from the Illinois State Fire Marshal's Office, Personal Standards and Education Group could be brought in to talk about how they look at course curricula and equivalency. This group tries to make sure that the subject matter is addressed and the unit objectives are identified to determine the minimum standards which are either met or exceeded. A correlation can be done to the course that is being submitted as a substitute to satisfy the training standards set. Included in that could be the baseline of what could be considered for instructor qualification in this area.

Mr. Wilson stated that it was very important to be able to document why a particular course from another state does or does not meet the standard because what is done now will set the tone for the future.

Mr. Moos stated that there was a group of fire service peers that do the leg work. This group provides the recommendation of the core material or the equivalency with other states.

Mr. Heidorn stated that one of the reasons this subject was brought to the IPBMCB was because there was a looming deadline of December 31, 2010 for being grandfathered in.

Mr. Wilson stated that there have not been a lot of applicants requesting to be grandfathered in. To that end, he was in the process of signing the contract with Brian Braver at IFSI to provide the classes. They would do the electronic version. There would be a one-day field day that completes the class. The national certificate would be given after that has been completed. They are looking at scheduling eight of those in the next two months. Tom Richter, the lead instructor for the wildfire program, has been contacting Lake, Cook, McHenry, Rock Island, and a few of the other active counties to schedule a place and time for the classes. He stated that the IDNR should be able to grandfather those people. If they have this and the NWCG class, he would agree to approve their applications.

Mr. Heidorn stated that if it was being addressed by providing those individuals who have been doing prescribed burns for a number of years an opportunity to get credit for what they have done and still meet the standard, he would much prefer to review this and potentially strengthen it. Ultimately this may become what was a preferred standard. S130 and S190 was a very limited starting point.

Mr. Wilson stated that it was also his concern having the minimum standard of S130 and S190 and calling the person a burn boss.

Mr. Heidorn stated that it was his opinion that the obvious standard was to use the standard used to develop the NWCG courses required under Illinois' Administrative Rule.

Mr. Moos stated that the NFPA makes national standard recommendations.

Mr. Wilson stated that there are four courses – firefighter, engine boss, strike team, and squad boss. IFSI has been through the process.

Mr. Wilson stated that he would be supportive of a committee to develop the standards or at least review the standards and develop a recommendation for the IPBMCB.

Mr. Wilson stated that the majority of individuals who want to get certified under the grandfather clause this year will accomplish that by the end of this year. He did not anticipate that it would be a large number.

Mr. Brewer stated that it was his opinion that the standard recommendation should be well thought out and could be used as the standard well into the future.

Mr. Heidorn stated that the current training standard was that the individual must have the certificates from the S130, S190, and I100 courses.

Mr. Wilson stated that S130 was basic wildland firefighting techniques. S190 was basic wildland fire behavior. I100 was basic incident command.

Mr. Heidorn stated that in order to be grandfathered in, the individual also had to participate in seven burns, including serving as the burn boss for at least five of those burns. Those burns had to have occurred prior to the rule going into effect. They would also have to have the experience as part of their background with the equivalency in the course curriculum.

Mr. Brewer stated that if the individual did not have those qualifications, they would have to go through the apprenticeship program which would give them that same type of experience.

It was moved by Wilson, seconded by Moos, and carried that Item 7 of this agenda be deferred so that standards can be developed.

It was moved by Wilson, seconded by Szafoni, and carried that the following resolution be adopted:

A workgroup will be established to develop the standards for a substitute for the requirement of S130 and S190 for the Certification of Prescribed Burn Managers under 17 Ill. Admin. Code 1565.20 (a)(1). One member of the Illinois Prescribed Burn Manager Certification Board will Chair this workgroup with the workgroup's recommendations being submitted to the Board by December 1, 2010 so that recommendations can be presented at the second meeting of the Illinois Prescribed Burn Manager Certification Board on December 15, 2010.

(Resolution 1 – 2)

Mr. Wilson suggested that a handful of subject matter experts should serve on this workgroup. He suggested that Tom Richter, IFSI, would be a good person for this.

Mr. Brewer stated that Ms. Woodson would also be a good person for the workgroup along with a few people from within the IDNR.

Mr. Heidorn stated that he would recommend getting the forest preserve district perspective (Jim Anderson or Ed Collins).

Mr. Szafoni stated that the salient features of I100, S130, and S190 would need to be identified to determine equivalent needs.

Mr. Wilson stated that those courses were developed by the National Wildfire Coordinating Group which is composed of members from the federal fire agencies, the National Association of State Foresters, and The Nature Conservancy.

Mr. Moos stated that the objectives may already be identified by that group. All the core objective and goals should be spelled out.

Mr. Wilson stated that the objectives and goals were spelled out, but this workgroup would need to review that information and make recommendations to the IPBMCB. The workgroup's task would be to develop a standard to which the IPBMCB could use.

Mr. Szafoni stated that if the instructor manuals for those three NWCG courses have a list of goals, and this Board accepts those courses as the bare minimum, why would the IPBMCB not accept the instructor's goals as the minimum requirements for an equivalent course?

Mr. Moos stated that it goes deeper than that in a sense that those documents should show correlating equivalency to the basis of any standard that they developed. If they are going back to the national standard, because this is an organization that is making a reference to a standard, we will be able to see exactly where they pulled it from. That would allow us to see what the core objectives are. It also allows an opportunity for us to update it because that might have been developed 15 years ago.

Mr. Szafoni stated that if the basic equivalent is S130, S190, and I100, the IPBMCB cannot say the equivalent to that is those courses and a few things more that we think are really important.

Mr. Moos stated that we could set the objectives and the components that exceed the requirements or the training that is in S130 and S190.

Mr. Wilson stated that there was nothing in the material that covers hazardous materials. He felt that was something that should be included.

Mr. Heidorn stated that some smoke management was not in the NWCG material.

Mr. Wilson stated that in the NWCG class, a chapter is devoted to national mobilization. That was not needed for this program.

Mr. Heidorn stated that it was the job of the IPBMCB to make recommendations to the Director of the IDNR. If the IPBMCB believes that a certain component was not an important part of S130 and S190, it could make that recommendation to the Director. The Director then has the authority to make that decision.

Mr. Wilson stated that if this workgroup comes up with a standard recommendation, the IPBMCB would not have to accept everything in those courses to be equivalent for its standards.

Mr. Szafoni stated that the workgroup could not add any additional requirements that were not in S130, S190, and I100 without changing the Administrative Rule.

Mr. Wilson stated that he would be willing to chair the workgroup if he received some direction regarding who the Board would like to see in the workgroup.

Mr. Heidorn suggested that Bill Kleiman from The Nature Conservancy would be an asset to the workgroup.

Mr. Wilson suggested that Tom Flader, a structural firefighter with a landscaping business that does contracts for prescribed burns, would be a good person for the workgroup. He was also on a national contract for the federal agencies.

Mr. Moos stated that Ms. Woodson may be able to recommend someone, and he would talk with her to get that recommendation.

After further discussion, it was suggested that the following people will be contacted to form the workgroup: Tom Richter, Tom Flader, Jim Anderson, Bill Kleiman, and a representative from the Illinois State Fire Marshal's office.

Mr. Moos asked if there was a way to reimburse the workgroup members for travel expenses.

Mr. Heidorn stated that the work done by the workgroup may have to be done by conference call with any expense being absorbed by the individual as a volunteer.

Mr. Szafoni asked who determines how the funds that are collected are spent.

Mr. Wilson stated that the funds being collected are being placed in the 905 account. The only expenditures to date have been to pay for the cartridges to get the cards printed. He stated that Dave Blatchford could provide the account balance.

Mr. Brewer stated that if there was a problem with all the participants in the workgroup being located in northern Illinois, he would recommend a representative from Southern Illinois University's fire program or someone from the Prescribed Burn Association in southern Illinois.

Mr. Wilson stated that Dick Johnson may be a possible resource to call upon.

Mr. Szafoni stated that Chris Long, a contractor in Murphysboro, may be someone to consider.

Mr. Wilson stated that he will contact the suggested individuals and try to set up a meeting as soon as possible.

1-8) Equivalent State Prescribed Burn Manager Certification Programs

Mr. Heidorn stated that individuals who have certifications outside of Illinois should go through the grandfather process. That will no longer be an option after December 31, 2010. He stated that there were two ways to approach this issue: a proactive approach to try to get all the surrounding states that have certifications for this and review them ahead of time, or hold back and address it when we get one.

Mr. Brewer stated that the basis of this workgroup was going to provide would probably apply as equally to Item 7 as it does to Item 8.

Mr. Heidorn stated that there were less than 20 states that had certification programs, and many of the western states use NWCG standards.

It was moved by Wilson, seconded by Brewer, and carried that Item 8 of this agenda be deferred until the meeting on December 15, 2010.

1-9) Planning for the Annual Report on Prescribed Burning under Illinois Prescribed Burning Act 525ILCS 37

Mr. Heidorn stated that the IPBMCB reviews burn plans and the Act. It then makes recommendations to the Director. He felt that the following items needed to be included in that report: number of certificates that have been issued; number of certificates that have been reviewed by category (grandfathering, state equivalent, federal, or apprenticeship); summary of reports submitted; recommendations on course work; review of a state's equivalency; legislative and rule changes that have been made and the status of those changes; and a list of the IPBMCB's resolutions. He felt that the entire report could be five-ten pages.

Mr. Heidorn stated that the certified burn managers may need to be reminded about what information needs to be submitted each time a prescribed burn is done.

Mr. Wilson stated that the reminder could be mailed out to each individual prior to the 2011 burn season.

After some discussion, it was decided to base this report on the fiscal year. Assignments for putting this report together will be given at the March 17, 2011 meeting. A draft would be presented at the June 14, 2011 meeting. Once it is approved, it would be forwarded to the Director.

1-10) Public Comment

There was no public comment.

1-11) Other Business

Mr. Heidorn stated that minutes will be distributed once they have been prepared.

Mr. Wilson suggested that the Sharepoint sight could be used to post contact information for the workgroup, along with other contact information.

Mr. Heidorn stated that there could be no discussions taking place on Sharepoint because it would violate the Open Meetings Act. He said he would look into what could be done on Sharepoint.

1-12) Adjournment

It was moved by Brewer, seconded by Moos, and carried that the meeting be adjourned. The meeting was adjourned at 3:05 p.m.