

Self-Evaluation Report



Prescribed Burning Board

August 2007

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Prescribed Burning Board Self-Evaluation Report

I. Agency Contact Information

Prescribed Burning Board* Exhibit 1: Agency Contacts				
	Name	Address	Telephone & Fax Numbers	E-mail Address
Agency Head	Todd Staples	P.O. Box 12847 Austin, TX 78711	(512) 463-1408 (888) 232-2375	todd.staples@tda.state.tx.us
Agency's Sunset Liaison	Catherine Wright Steele	P.O. Box 12847 Austin, TX 78711	(512) 463-3700 (888) 203-5567	catherine.wright-steele@tda.state.tx.us

*The Prescribed Burning Board is an entity administered by the Texas Department of Agriculture.

II. Key Functions and Performance

A. Provide an overview of your agency's mission, objectives, and key functions.

The Prescribed Burning Board was established within the Texas Department of Agriculture by the 76th Legislature in 1999 to help limit liability for landowners who want to use controlled burns as a land management tool. The board is charged with the following objectives and key functions.

- Setting standards for prescribed burning;
- Developing a comprehensive training curriculum for prescribed burn managers;
- Setting standards for certification, recertification and training of burn managers; and
- Establishing minimum education and professional requirements for instructors for the approved curriculum.

B. Do each of your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

The Prescribed Burning Board continues to serve its purpose to carry out the Texas Certified Prescribed Burn Manager Program. This program is necessary to ensure prescribed burns are used as a safe land management tool to reduce vegetative fuels in Texas and to protect property and landowners. If the board no longer performed these functions, there would not be a certified

prescribed burn manager program and landowners would not have this option to hire a certified manager to carry out prescribed burns on their property.

The demand for prescribed burning services continues to increase, especially in the forestry industry. As populations increase in urban areas, there is an increased suburban interface with land. As Texas communities grow, liability will increase in burning. It will be in the best interests of the state to have certified individuals to perform these services.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

The Board has established standards for certified burn managers and procedures and requirements for obtaining certification, recertification and renewal of certification for burn managers. The Board has, with the aid of an advisory committee, also developed training requirements and conditions for approving trainers.

The number of applicants for certification has increased over recent years, due to the agency's working with industry on rule and legislative changes. To date, 11 Certified Prescribed Burn managers have been licensed.

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

The enabling law, Chapter 153 of the Texas Natural Resources Code continues to reflect the mission and approach to performing the objectives set out for the board. Two legislative changes have been proposed and adopted to improve the operation of the board.

In the 77th Legislature, HB 3315 was adopted to exempt certified prescribed burn managers from county requirements during county burn bans. Previous to this legislation, certified burn managers did not have a clear authority to conduct prescribed burns during county burn bans, without getting approval from county commissioners' courts.

Additionally, in this same session, HB 1080 was adopted and modified insurance requirements for certified prescribed burn managers. Previously, the insurance requirement was \$1 million for each single occurrence of injury, death or property destruction. This legislation added a \$2 million aggregate limit per policy period for certified prescribed burn managers.

E. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

The board is the only entity in Texas authorized to provide certification for prescribed burn managers who provide this service to private landowners. Texas Forest Service and Texas Parks and Wildlife Department provide prescribed burning training to their employees to control burn on state lands under their jurisdiction. These services are not available to private citizens. To ensure against duplication with these entities, the Prescribed Burning Board has member representatives from both of these state agencies.

F. In general, how do other states carry out similar functions?

In general, several other states have similar programs and requirements for certification of prescribed burn managers.

G. What key obstacles impair your agency's ability to achieve its objectives?

1. One of the key factors impairing the Board's ability to meet its objective is the high cost of insurance for burn managers. Public perception of prescribed fire and the lack of actuarial data have also been obstacles in meeting objectives and enrolling participants in the process to become certified. Increased availability of this specialized insurance would increase participation in the program.

Additionally, the coverage provided by different insurance agencies is varied. TDA staff must review each policy individually and decide whether the coverage is adequate. It would be much more efficient to have a form endorsement insurance agencies could include with the policy.

2. The current law has no enforcement authority to allow TDA to pursue administrative action against a person who represents him or herself as a Certified Prescribed Burn Manager, but does not hold a certification from TDA. Administrative penalty authority would be helpful to TDA as interest in this area of licensure increases.

3. Another issue that has come up this year is the question of whether a local disaster declaration made pursuant to the Texas Disaster Act of 1975 supersedes the exemption granted to certified prescribed burn managers to be able to conduct burns during a burn ban, pursuant to Tex. Loc. Gov't Code Ann. § 352.081 (f)(2). The OAG provided its informal opinion and it seems the Disaster Act would supersede the exemption for certified prescribed burn managers to conduct burns during a county burn ban. Legislative clarification of this issue would be beneficial to our licensees.

4. Governmental agencies such as the Texas Parks and Wildlife Department have their own training programs for burning conducted on state lands, but would like to adopt the Prescribed Burning Board requirements and make their employees eligible to become certified burn managers. Those agencies have requested that TDA waive the statutory insurance requirements to allow their employees to become certified prescribed burn managers. Like TDA, these agencies are self-insured and cannot show proof of the required insurance limits. An exception from the insurance requirements for state entities would provide for better trained personnel conducting burns on state land.

H. Discuss any changes that could impact your agency’s key functions in the future (e.g., changes in federal law or outstanding court cases).

TDA is not aware of any recent or potential changes that could impact the functions of the Prescribed Burning Board.

I. What are your agency’s biggest opportunities for improvement in the future?

An opportunity for improvement for the Prescribed Burning Board is to create a broader understanding of the industry, and value of having a certified prescribed burn manager perform this important task instead of the landowner doing it themselves.

The Prescribed Burning Board has indicated that it would like a list of Certified Burn Managers to be accessible by the public online. Currently, this information is available from TDA through the public information request process but TDA anticipates making the names available on its Web site in the future.

J. In the following chart, provide information regarding your agency’s key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures.

Prescribed Burning Board Exhibit 2: Key Performance Measures C Fiscal Year 2006			
Key Performance Measures	FY 2006 Target	FY 2006 Actual Performance	FY 2006 % of Annual Target
N/A	N/A	N/A	N/A

III. History and Major Events

Provide a timeline of your agency's history, and key events.

- 1998 The Texas Prescribed Burning Coalition (TPBC) was organized at a meeting in Kerrville to foster and support training in prescribed burning in Texas and to disperse accurate information to the public on the subject of prescribed burning.
- 1999 HB 2599 was adopted during the 76th Legislature to create the Prescribed Burning Board within the Texas Department of Agriculture (TDA) to help limit liability for landowners who want to use prescribed burning as a land management tool to clear vegetative fuels, including brush and excessive grass from their land.
- 2001 HB 1080 was adopted during the 77th Legislature to modify insurance requirements for certified prescribed burn managers from \$1 million for each single occurrence of injury, death or property destruction to add a \$2 million aggregate limit per policy period for certified prescribed burn managers.

During this same legislative session, HB 3315 was passed to exempt certified prescribed burn managers from county regulation during county burn bans.

IV. Policymaking Structure

A. Complete the following chart providing information on your policymaking body members.

Prescribed Burning Board Exhibit 3: Policymaking Body			
Member Name	Term*/ Appointment Dates/ Appointed by ____	Qualification (e.g., public member, industry representative)	City
Lynn Drawe - Chairman	Appointed 8/24/06 by Agriculture Commissioner	Agriculture landowner	Sinton
Dan Barnes	Appointed 8/24/06 by Agriculture Commissioner	Agriculture landowner	Trinity
Suzanne Birmingham Walker	Appointed 8/24/06 by Agriculture Commissioner	Agriculture landowner	Shelbyville
R.A. Brown	Appointed 8/24/06 by Agriculture Commissioner	Agriculture landowner	Throckmorton
Don Petty	Appointed 8/24/06 by Agriculture Commissioner	Agriculture landowner	Waco
Sandra Rideout-Hanzak	Appointed by TTU-CASNR Dean	Texas Tech representative	Lubbock
Linda Campbell	Appointed 4/1/2004 by TPWD Executive Director	TPWD representative	Austin
Andy Garza	Appointed 7/5/06 by TSSWCB Executive Director	TSSWCB representative	Harlingen
Wayne Hanselka	Appointed 7/6/06 by TAMU- TCE Executive Director	TAMU-TCE representative	Corpus Christi
Ramiro Garcia, Jr.	Appointed 3/7/07 by TCEQ Executive Director	TCEQ representative	Austin
Mike McMurry	Appointed 8/24/06 by Agriculture Commissioner	TDA representative	Austin
Ernie Smith	Appointed 7/14/06 by Texas Forest Service Director	Texas Forest Service	Gilmer
Charles Taylor	Appointed by TAMU/TAES Director	TAMU/TAES	Sonora

*All appointees serve a two-year term.

B. Describe the primary role and responsibilities of your policymaking body.

The Board is charged with the:

- Establishment of standards for prescribing burning;
- Development of a comprehensive training curriculum for prescribed burn managers;
- Establishment of standards for certification, recertification and training for prescribed burn managers; and
- Establishment of minimum education and professional requirements for instructors of the approved curriculum.

C. How is the chair selected?

The chair is selected by a majority vote from the members of the board.

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

The Prescribed Burning Board is an entity within the Texas Department of Agriculture.

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2006? in FY 2007?

The Board generally meets two to three times per year as needed. In FY 2006, the board met twice. In FY 2007, the board met 1 time. The meetings are often held in conjunction with industry conferences members will be attending. This is in an effort to decrease costs associated with the board and facilitate participation of board members and interested members of the public.

F. What type of training do members of your agency's policymaking body receive?

All members receive training on the requirements of the Texas Public Information Act, the Texas Open Meetings Act, ethics and conflicts of interest for state officials. Training is also provided on the rule making process and on the Board's responsibilities under the Natural Resources Code, Chapter 153.

G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.

All rules and procedures followed by this program are those of the Texas Department of Agriculture. A protocol is in place to handle licensing, processing and paperwork.

H. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?

Texas Department of Agriculture staff provide an update on program activities at each board meeting.

I. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

Generally, a public comment period is included in each board meeting agenda. All meetings are also posted in accordance with the requirements of the open meetings laws. Most meetings are held at conferences that include topics related to prescribed burning, thus encouraging the attendance at meetings of persons interested in prescribed burning.

J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart.

Prescribed Burning Board Exhibit 4: Subcommittees and Advisory Committees			
Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
Advisory Board	Appointed as necessary Under statute, the board is to be composed of members representing property owners; agriculture, forestry, and livestock producers; conservation interests; environmental interests; and insurance interests.	This subcommittee meets as needed to assist in developing education criteria and educational curriculum for the minimum requirements of a certified burn manager.	Natural Resources Code Sec 153.045
Advisory Committee	Appointed as necessary.	This subcommittee met to assist in the design of a new burn regions map for applicants to use to define where they burn. The revised map more accurately reflects the regions by fuel type.	Natural Resources Code Sec 153.045

V. Funding

A. Provide a brief description of your agency's funding.

The only source of funding for the Prescribed Burn Board is through fees generated by the program. The Texas Department of Agriculture provides administrative and legal staff support to the board as part of the routine functions provided for by General Revenue.

B. List all riders that significantly impact your agency's budget.

Rider 16 79th Leg VI-6

C. Show your agency's expenditures by strategy.

Prescribed Burning Board Exhibit 5: Expenditures by Strategy Fiscal Year 2006 (Actual)		
Goal/Strategy	Total Amount	Contract Expenditures Included in Total Amount
A. Goal: Markets and Public Health		
A.1.2. Regulate Pesticide Use	\$24,453	0
GRAND TOTAL:	\$24,453	0

D. Show your agency's objects of expense for each category of expense listed for your agency in the General Appropriations Act FY 2007-2008.

Prescribed Burning Board Exhibit 6: Objects of Expense by Program or Function Fiscal Year 2007	
Object-of-Expense	Program Name Prescribed Burning Board
Salaries & Wages	\$18,641
Other Personnel Costs	\$1,507
Travel	\$672
Rent-Building	\$260
Other operating Expense	\$151
Total	\$21,231

E. Show your agency’s sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines.

Prescribed Burning Board Exhibit 7: Sources of Revenue Fiscal Year 2006 (Actual)	
Source	Amount
Fees per Rider 16, 79 th Leg. VI-611	\$300
TOTAL	\$300

F. If you receive funds from multiple federal programs, show the types of federal funding sources.

N/A

G. If applicable, provide detailed information on fees collected by your agency.

Prescribed Burn Board Exhibit 9: Fee Revenue Fiscal Year 2006				
Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory maximum	Number of persons or entities paying fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Certified Prescribed Burn Manager Application Fee – Natural Resources Code Sec. 153.048	\$50 for a 5-year license	6	\$300	General Revenue*

* Per appropriations, the fees collected are to be used solely for the purpose of administering a prescribe burn manager certification program in Strategy A.1.2. Regulate Pesticide Use.

VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division.

The Prescribed Burning Board is administered through the Pesticide and General Counsel divisions at the Texas Department of Agriculture, there are no FTE's budgeted fully to this program. Several staff in each of the divisions mentioned provide administrative, legal and program support to the board as needed.

B. If applicable, fill in the chart below listing field or regional offices.

The Prescribed Burning Board is administered through the Pesticide and General Counsel divisions at the Texas Department of Agriculture, there are no FTE's budgeted fully to this program. Several staff in each of the divisions mentioned provide administrative, legal and program support to the board as needed.

C. What are your agency's FTE caps for fiscal years 2006 - 2009?

N/A

D. How many temporary or contract employees did your agency have as of August 31, 2006?

No temporary or contract employees are employed by this program.

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program.

N/A

VII. Guide to Agency Programs

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Prescribed Burning Board
Location/Division	Austin/Pesticides Division
Contact Name	Jimmy Bush, Assistant Commissioner for Pesticide Programs
Actual Expenditures, FY 2006	\$24,453
Number of FTEs as of August 31, 2006	0

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Prescribed Burning Board, established in the 76th regular legislative session, was created in order to provide landowners who use prescribed burning as a land management tool to reduce vegetative fuels with a limitation on liability by their use of a Certified Prescribed Burn Manager. The Prescribed Burning Board develops the educational requirements and oversees the certification and re-certification of burn managers process.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Board has established standards for certified burn managers and procedures and requirements for obtaining certification, recertification and renewal of certification for burn managers. The Board has, with the aid of an advisory committee, also developed training requirements and conditions for approving trainers.

The number of applicants for certification has increased over recent years, due to the agency's working with industry on rule and legislative changes. To date, 11 Certified Prescribed Burn managers have been licensed.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

All history related to this program is in the general agency history section of this document.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The program affects individuals who are or wish to become certified prescribed burn managers and landowners who work with the certified managers. To become a certified manager, an individual must successfully complete the certified prescribed burn training course approved by the Board and a specialty course for the region(s) in which the prescribed burning will be conducted. The manager must also have minimum experience requirements as determined by the board and provide proof of adequate insurance.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Prescribed Burning Board is jointly administered through the Pesticide and General Counsel divisions at the Texas Department of Agriculture. The Pesticide Division staff administers the licensing component of the program and the General Counsel Division provides administrative support to the Board.

General Counsel reviews the insurance information provided by an applicant that was submitted in connection with their application for certified burn manager to ensure all insurance requirements are met. The Chair of the board reviews the application to see if it meets experience and education requirements (set out in rule). The Chair will then approve or disprove the application on behalf of the board.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding for the program is through revenue generated by the fee for the license. Additional administrative support provided by the Texas Department of Agriculture is paid for out of general revenue.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The board is the only entity in Texas authorized to provide certification for prescribed burn managers who provide this service to private landowners. Texas Forest Service and Texas Parks and Wildlife Department provide prescribed burning training to their employees to conduct burns on state lands under their jurisdiction. These services are not available to private citizens.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

To ensure against duplication with these entities, the Prescribed Burning Board has member representatives from both of these state agencies.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Several state entities participate on this board by statute including the Texas Forest Service, Texas Parks and Wildlife Department, Texas Commission on Environmental Quality, Texas Agricultural Experiment Station, Texas Tech University and the Texas State Soil and Water Conservation Board. Certified Prescribed Burn managers must comply with all outdoor burning rules under the jurisdiction of the Texas Commission on Environmental Quality. The board works with county officials to ensure burn manager regulations work in conjunction with county regulations.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

The Prescribed Burning Board did not have any contracted expenditures in fiscal year 2006.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The current law has no enforcement authority to allow TDA to pursue administrative action against a person who represents him or herself as a Certified Prescribed Burn Manager, but does not hold a certification from TDA. Administrative penalty authority would be helpful to TDA as interest in this area of licensure increases.

Another issue that has come up this year is the question of whether a local disaster declaration made pursuant to the Texas Disaster Act of 1975 supersedes the exemption granted to certified prescribed burn managers to be able to conduct burns during a burn ban, pursuant to Texas Local Government Code Section 352.081 (f)(2). The OAG provided its informal opinion and it seems that the Disaster Act would supersede the exemption for certified prescribed burn managers to

conduct burns during a county burn ban. Legislative clarification of this issue would be beneficial to licensees.

Governmental agencies such as the Texas Parks and Wildlife Department have their own training programs for burning conducted on state lands, but would like to adopt the Prescribed Burning Board requirements and make their employees eligible to become certified burn managers. Those agencies have requested for TDA to waive the statutory insurance requirements to allow their employees to become certified prescribed burn managers. Like TDA, these agencies are self-insured and cannot show proof of the required insurance limits. An exception from the insurance requirements for state entities would provide for better trained personnel conducting burns on state land.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

- N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:**
- **why the regulation is needed;**
 - **the scope of, and procedures for, inspections or audits of regulated entities;**
 - **follow-up activities conducted when non-compliance is identified;**
 - **sanctions available to the agency to ensure compliance; and**
 - **procedures for handling consumer/public complaints against regulated entities.**

Licensure of prescribed burning managers is necessary to ensure unlicensed personnel do not pass themselves off as certified managers and minimum requirements for prescribed burning are met to ensure safety of property and citizens. Continuing education must be completed by the certified manager to renew the license. Additionally, a certified prescribed burn manager must provide proof of annual insurance renewal. If non-compliance is identified, the Texas Department of Agriculture will notify the licensee via letter. Enforcement actions are not provided for in the enabling legislation.

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Prescribed Burning Board		
Exhibit 12: Information on Complaints Against Regulated Persons or Entities*		
Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Total number of regulated persons	0	6
Total number of regulated entities	N/A	N/A
Total number of entities inspected	N/A	N/A
Total number of complaints received from the public	0	0
Total number of complaints initiated by agency	0	0
Number of complaints pending from prior years	N/A	0
Number of complaints found to be non-jurisdictional	N/A	N/A
Number of jurisdictional complaints found to be without merit	N/A	N/A
Number of complaints resolved	N/A	N/A
Average number of days for complaint resolution	N/A	N/A
Complaints resulting in disciplinary action:	N/A	N/A
administrative penalty	N/A	N/A
Reprimand	N/A	N/A
Probation	N/A	N/A
Suspension	N/A	N/A
Revocation	N/A	N/A
Other	N/A	N/A

VIII. Statutory Authority and Recent Legislation

A. Fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2003 - 2007, or earlier significant Attorney General opinions, that affect your agency's operations.

Prescribed Burning Board Exhibit 13: Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., A provides authority to license and regulate nursing home administrators@)
Natural Resources Code Chapter 153	Provides authority to license certified prescribed burn managers.
Attorney General Opinions	
Attorney General Opinion No.	Impact on Agency
TDA received an informal opinion on the issue of whether a local disaster declaration made pursuant to the Texas Disaster Act of 1975 supersedes the exemption granted to certified prescribed burn managers to be able to conduct burns during a burn ban, pursuant to Texas Local Government Code Section 352.081 (f)(2). The OAG provided its informal opinion that it seems that the Disaster Act would supersede the exemption for certified prescribed burn managers to conduct burns during a county burn ban.	None

B. Provide a summary of recent legislation regarding your agency by filling in the chart below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation).

No legislation was enacted or introduced pertaining to Prescribed Burning Board during the 80th Legislative session.

IX. Policy Issues

No policy issues at this time.

X. Other Contacts

A. Fill in the following chart with updated information on people with an interest in your agency, and be sure to include the most recent e-mail address.

Prescribed Burning Board Exhibit 15: Contacts			
INTEREST GROUPS (groups affected by agency actions or that represent others served by or affected by agency actions)			
Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
Audubon Texas Jason Hardin	427 Sterzing, Suite 109 Austin, TX 78704	(903) 549-2927	audubontexas@audubon.org
Caesar Kleberg Wildlife Research Institute Fred C. Bryant	Texas A&M University- Kingsville 700 University Blvd., MSC 218 Kingsville, TX 78363	(512) 478-5161	ckwri@tamuk.edu
Environmental Defense David Wolfe	44 East Ave # 304 Austin, TX 78701	(512) 478-5161	dwolfe@environmentaldefense.org
Texas Farm Bureau Kenneth Dierschke	P.O. Box 2689 Waco, TX 76702	(254) 751-2220	kdiershke@txfb.org
Texas Forestry Association Ron Hufford	P.O. Box 1488 Lufkin, TX 75902	(936) 632-8733	rhufford@texasforestry.org
Texas Nature Conservancy Carter Smith	P.O. Box 1440 San Antonio, TX 78295	(210) 224-8774	carter_smith@tnc.org
Texas Organization of Wildlife Management Associations Clinton McPhaul	P.O. Box 701 LaGrange, TX 78945	(512) 304-0014	clinton_mcphaul@dell.com
Texas and Southwestern Cattle Raisers Eldon White	1301 West Seventh St. Fort Worth, TX 76102	(817) 332-7064	ewhite@texascattleraisers.org
Texas Sheep and Goat Raisers' Association Sandy Whittley	PO Box 2290 San Angelo, TX 76902	(915) 655-7388	tsgra@wcc.net
Texas Wildlife Association Kirby Brown	401 Isom Road, Suite 237 San Antonio, TX 78216	(210) 826-2904	k_brown@texas-wildlife.org

INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS (that serve as an information clearinghouse or regularly interact with your agency)			
Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
Texas Agricultural Experiment Station Dr. Mark Hussey	113 Jack K. Williams Building 2142 TAMU College Station, TX 77843-2142	(979) 845-7980	mhussey@tamu.edu
Texas Cooperative Extension Dr. Ed Smith	Room 112, Jack K. Williams Administration Building College Station, TX 77843-7101	(979) 845-7800	agextension@tamu.edu
Texas Tech University – College of Agriculture and Natural Resources – Natural Resources Management Dr. Ernest Fish	Texas Tech University Box 42125 Lubbock, TX 79409-2125	(806) 742-2841	ernest.fish@ttu.edu
USDA-NRCS Susan Baggett	101 S. Main Temple, TX 76501	(254) 742-9805	susan.baggett@tx.usda.gov
LIAISONS AT OTHER STATE AGENCIES (with which your agency maintains an ongoing relationship, e.g., the agency=s assigned analyst at the Legislative Budget Board, or attorney at the Attorney General=s office)			
Agency Name/Relationship/ Contact Person	Address	Telephone	E-mail Address
Texas Commission on Environmental Quality Glenn Shankle	12100 Park 35 Circle, Austin, TX 78753	(512) 239-3500	execdir@tceq.state.tx.us
Texas Forest Service James B. Hull	301 Tarrow Suite 364 College Station, TX 77840-7896	(979) 458-6606	tx-stateforester@tfs.tamu.edu
Texas Parks and Wildlife Department Mike Berger	4200 Smith School Rd., Austin, Texas 78744	(512) 389-8092	mike.berger@tpwd.state.tx.us
Texas State Soil and Water Conservation Board Rex Isom	P.O. Box 658, Temple, TX 76503	(254) 773-2250	risom@tsswcb.state.tx.us

XI. Additional Information

A. Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate. The chart headings may be changed if needed to better reflect your agency's practices.

Prescribed Burning Board*		
Exhibit 16: Complaints Against the Agency Fiscal Years 2005 and 2006		
	FY 2005	FY 2006
Number of complaints received	NA	NA
Number of complaints resolved	NA	NA
Number of complaints dropped/found to be without merit	NA	NA
Number of complaints pending from prior years	NA	NA
Average time period for resolution of a complaint	NA	NA

The Prescribed Burning Board has no recent records of complaints.

B. Fill in the following chart detailing your agency's Historically Underutilized Business (HUB) purchases.

Please see the TDA Self-Evaluation Report for additional information.

Prescribed Burning Board				
Exhibit 17: Purchases from HUBs				
FISCAL YEAR 2004				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	N/A	N/A	N/A	11.9%
Building Construction	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	57.2%
Professional Services	N/A	N/A	N/A	20.0%
Other Services	N/A	N/A	N/A	33.0%
Commodities	N/A	N/A	N/A	12.6%
TOTAL	N/A	N/A	N/A	

FISCAL YEAR 2005				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	N/A	N/A	N/A	11.9%
Building Construction	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	57.2%
Professional Services	N/A	N/A	N/A	20.0%
Other Services	N/A	N/A	N/A	33.0%
Commodities	N/A	N/A	N/A	12.6%
TOTAL	N/A	N/A	N/A	
FISCAL YEAR 2006				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	N/A	N/A	N/A	11.9%
Building Construction	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	57.2%
Professional Services	N/A	N/A	N/A	20.0%
Other Services	N/A	N/A	N/A	33.0%
Commodities	N/A	N/A	N/A	12.6%
TOTAL	N/A	N/A	N/A	

C. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy?

The Prescribed Burning Board follows all policies under the administration of the Texas Department of Agriculture. Please see the TDA Self-Evaluation Report for information.

D. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Tex. Government Code, Sec. 2161.252; TAC 111.14)

N/A

E. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.

	Response / Agency Contact
1. Do you have a HUB coordinator? (Tex. Government Code, Sec. 2161.062; TAC 111.126)	N/A
2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Tex. Government Code, Sec. 2161.066; TAC 111.127)	N/A
3. Has your agency developed a mentor-protege program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Tex. Government Code, Sec. 2161.065; TAC 111.128)	N/A

F. Fill in the chart below detailing your agency's Equal Employment Opportunity (EEO) statistics.

The Prescribed Burning Board follows all policies under the administration of the Texas Department of Agriculture. Please see the TDA Self-Evaluation Report for information.

Prescribed Burning Board							
Exhibit 18: Equal Employment Opportunity Statistics							
FISCAL YEAR 2004							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	N/A	N/A	7%	N/A	11%	N/A	31%
Professional	N/A	N/A	9%	N/A	10%	N/A	47%
Technical	N/A	N/A	14%	N/A	18%	N/A	39%
Protective Services	N/A	N/A	18%	N/A	21%	N/A	21%
Para-Professionals	N/A	N/A	18%	N/A	31%	N/A	56%
Administrative Support	N/A	N/A	19%	N/A	27%	N/A	80%
Skilled Craft	N/A	N/A	10%	N/A	28%	N/A	10%
Service/Maintenance	N/A	N/A	18%	N/A	44%	N/A	26%

FISCAL YEAR 2005							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	N/A	N/A	7%	N/A	11%	N/A	31%
Professional	N/A	N/A	9%	N/A	10%	N/A	47%
Technical	N/A	N/A	14%	N/A	18%	N/A	39%
Protective Services	N/A	N/A	18%	N/A	21%	N/A	21%
Para-Professionals	N/A	N/A	18%	N/A	31%	N/A	56%
Administrative Support	N/A	N/A	19%	N/A	27%	N/A	80%
Skilled Craft	N/A	N/A	10%	N/A	28%	N/A	10%
Service/Maintenance	N/A	N/A	18%	N/A	44%	N/A	26%
FISCAL YEAR 2006							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	N/A	N/A	7%	N/A	11%	N/A	31%
Professional	N/A	N/A	9%	N/A	10%	N/A	47%
Technical	N/A	N/A	14%	N/A	18%	N/A	39%
Protective Services	N/A	N/A	18%	N/A	21%	N/A	21%
Para-Professionals	N/A	N/A	18%	N/A	31%	N/A	56%
Administrative Support	N/A	N/A	19%	N/A	27%	N/A	80%
Skilled Craft	N/A	N/A	10%	N/A	28%	N/A	10%
Service/Maintenance	N/A	N/A	18%	N/A	44%	N/A	26%

G. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

N/A

XII. Agency Comments

Texas Department of Agriculture staff would be pleased to provide any additional information to assist the Sunset Commission in its review of the Prescribed Burning Board. Additionally, the Board looks forward to the opportunity to discuss the programs with Sunset staff as the process moves forward.

ATTACHMENTS

Attachments Relating to Key Functions, Powers, and Duties

1. A copy of the agency's enabling statute.
2. A copy of Web site publications describing the agency.

Attachments Relating to Policymaking Structure

3. Biographical information (e.g, education, employment, affiliations, and honors) or resumes of all policymaking body members.
4. A copy of the agency's most recent rules.

Attachments Relating to Organization

5. Texas Prescribed Fire Training Regions map.