

COUNCIL ORDINANCE NO. 20740

**AN ORDINANCE GRANTING AN EXEMPTION FROM THE APPLICATION OF
SECTION 6.200 OF THE EUGENE CODE, 1971 AND PROVIDING FOR A
SUNSET DATE.**

ADOPTED: June 22, 2026

SIGNED: June 24, 2026

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

EFFECTIVE: July 25, 2026



ORDINANCE NO. 20740

AN ORDINANCE GRANTING AN EXEMPTION FROM THE APPLICATION OF SECTION 6.200 OF THE EUGENE CODE, 1971 AND PROVIDING FOR A SUNSET DATE.

The City Council of the City of Eugene finds as follows:

A. Section 6.200 of the Eugene Code, 1971 (EC) proscribes the practice of open burning within the City of Eugene with specified exceptions to this ban. This Ordinance, which makes a limited exception to EC 6.200, is a component of local measures designed to assure compliance with federal ambient air quality standards.

B. Maintenance and enhancement of air quality is critical to the health and welfare of metropolitan area residents, the area's ability to attract new businesses, and the avoidance of sanctions for noncompliance.

C. The West Eugene Wetlands Plan (the Plan), adopted by the City Council on May 20, 1992, and amended numerous times since, sets forth policies for preserving significant wetlands in West Eugene, allowing development of lower quality wetlands, and establishing a system for mitigation of filled wetlands. The Plan also includes goals and policies for protecting and expanding populations and habitats of rare, threatened, or endangered plants, including Bradshaw's lomatium (*Lomatium bradshawii* – delisted in February 2021), Willamette Valley daisy (*Erigeron decumbens* var. *decumbens*), and Kincaid's lupine (*Lupinus oreganus*), and policies for protecting and managing the native Willamette Valley wet prairie plant community. In addition, the Plan contains policies for managing the preserved wetlands in public ownership.

D. Experimental burns conducted in 1986, 1987, and 1991 in the Willow Creek natural area within habitat containing the above-mentioned plant species have resulted in expansion of populations of those plants in the areas burned. Controlled burns in 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018, 2023, 2024 and 2025 on several sites have also been beneficial for enhancing and maintaining wetland and associated upland habitats.

E. The Ridgeline Area Open Space Vision and Action Plan, published in February 2008, is based on the Rivers to Ridges Vision and Strategies document endorsed by City Council on March 12, 2003. This document establishes management principles for the safety of recreational users and the reduction of potential hazards inherent to the rural-urban interface found in Eugene's Ridgeline Area such as wildfire. In addition, the Ridgeline Area Open Space Vision and Action Plan recommends the implementation of prescribed fire (where feasible) to prevent woody vegetation from establishing in prairies and savannas and management of vegetation to help reduce risk of wildfire spreading to adjacent properties, also known as fuels reduction.

F. Management of natural areas and preservation of fire-adapted native plant communities requires controlled open burning of vegetation for ecological purposes and to foster growth of native species in the areas noted on the map attached as Exhibit A hereto and incorporated herein by reference. Repeated burning of vegetation in these areas will enhance or maintain natural areas to sustain fire-adapted plant and animal communities.

G. A limited and special exception to the open burning ban in EC 6.200 is necessary for the purposes outlined above. This limited exception is based upon the high costs and limited practicability of alternative vegetation management and control methods, the limited nature of the expected burns, air pollution control strategies that will be employed to prevent significant degradation of local air quality, the special recognition given to regionally rare habitat types described in comprehensive planning documents, the City's direct responsibility under those plans for preservation of the natural resources in this area, and the general public benefit derived from the preservation of this habitat, the reduction of fuels that contribute to uncontrolled wildfires, and the ecosystem services provided to the community. This limited exception is unique and should not serve as precedent for future exceptions for other purposes or signal any relaxation of the City's commitment to preservation of air quality.

H. Exceptions to the open burning ban for the management of wetlands in the West Eugene Wetlands Plan area have been previously granted by the City Council by Ordinance No. 19403 enacted August 13, 1986, Ordinance No. 19493 enacted July 27, 1987, Ordinance No. 19634 enacted September 11, 1989, Ordinance No. 19715 enacted September 12, 1990, Ordinance No. 19983 enacted September 12, 1994, Ordinance No. 20014 enacted May 22, 1995, Ordinance No. 20231 enacted June 25, 2001, Ordinance No. 20370 enacted June 26, 2006, Ordinance No. 20476 enacted June 13, 2011, Ordinance No. 20565 enacted June 13, 2016 and Ordinance No. 20652, enacted May 24, 2021. An exception is again necessary to ensure the continued proper and effective management of this valuable natural resource area.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The findings set forth above are adopted.

Section 2. The City shall continue to use its regulation of outdoor burning as one method for maintaining and improving air quality of the metropolitan area.

Section 3. An exception to the application of EC 6.200 is hereby granted to the Bureau of Land Management, Eugene Public Works Department and The Nature Conservancy to conduct periodic "Prescribed Ecological Burns" for the purposes of scientific research, fuels reduction and to foster growth of native plant species in the "2026 – 2030 Prescribed Burn Areas," all of which are located inside the city limits of the City of Eugene, as shown on the map attached as Exhibit A hereto and incorporated herein by reference.

Section 4. The exception granted in Section 3 is subject to the following conditions:

- a. Prior to commencement of any burn, the Bureau of Land Management, Eugene Public Works Department or The Nature Conservancy shall give notice to the Eugene Springfield Fire Marshal and the Lane Regional Air Protection Agency and shall obtain the approval of those agencies to conduct the burn in the time, place and manner proposed.
- b. No more than 300 acres of open burning shall be conducted within the City of Eugene in any one calendar year.
- c. Environmental protection and fire suppression strategies, personnel, equipment, and other parameters (including wind direction, relative humidity, vegetation type) shall be approved in advance by the Eugene Springfield Fire Marshal and Lane Regional Air Protection Agency. The Bureau of Land Management, Eugene Public Works

Department and The Nature Conservancy shall comply with all conditions imposed by those agencies.

- d. Burning shall only occur when wind and weather conditions are such that local air quality impacts are minimized and safety can be maintained.
- e. The Bureau of Land Management, Eugene Public Works Department and The Nature Conservancy assume responsibility for providing all equipment and personnel associated with the burn and for complying with all applicable federal, state and local laws.

Section 5. The exception granted by Sections 3 and 4 of this Ordinance, allowing periodic prescribed ecological burns under specific conditions, begins on the effective date of this Ordinance and ends on December 31, 2030.

Passed by the City Council this

22nd day of June, 2026



City Recorder

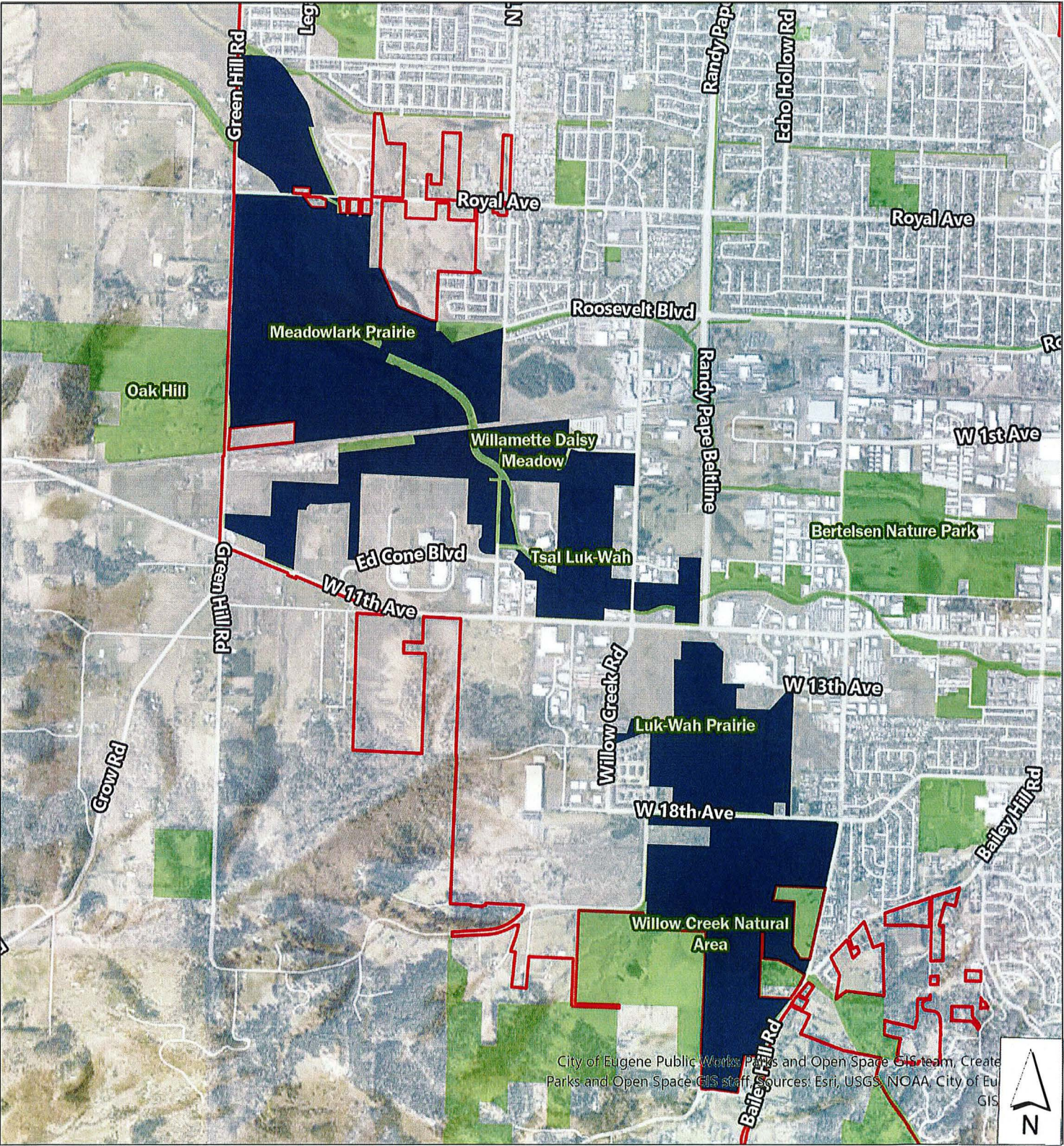
Approved by the Mayor this

24 day of June, 2026



Mayor

Exhibit A: Areas Proposed for Prescribed Burning 2026-2030



- 2026-2030 Prescribed Burn Areas
- Eugene City Limits

0 0.25 0.5 Miles

1:30,742

Map Date: 4/15/2026

