SANTA BARBARA COUNTY
AIR POLLUTION CONTROL DISTRICT

Smoke Management Program

Guidelines and Procedures for Operating the District Agricultural and Prescribed Burning Program

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Introduction

These smoke management guidelines are intended to accomplish the purpose of Title 17 of the California Code of Regulation (CCR) as outlined in Section 80100, and to ensure compliance with Regulation IV. Agricultural Burning of the Santa Barbara County Air Pollution Control District (District). The District's goal is to achieve and maintain all state and federal ambient air quality standards related to PM-10 and PM-2.5 through implementation of emission reducing measures, including this "Smoke Management Program". The management program objectives will be to employ smoke management techniques on all agricultural and prescribed burn projects to prevent smoke impacts to communities and all sensitive receptors in Santa Barbara County. Efforts will be made to continually explore methods and techniques to improve the District's Smoke Management Program.

The District derives its authority to regulate agricultural and prescribed burning activities and implement and enforce these smoke management guidelines from the Health and Safety Code, the CCR – Title 17 and District Regulation IV. Regulation IV, specifically Rule 401, Sections C.4.j.and i. provide the Control Officer with broad authority to restrict agricultural burning to a specified number of permits on days where such burning might cause a public nuisance. The stated goal of this provision is to ensure that a major portion of the total tonnage of agricultural waste is not ignited at one time during adverse conditions. Further, Rule 401, Section D.1. *Requirements – Wildland Vegetation Management Burning*, provides the Control Officer with broad authority to regulate prescribed burning activities to ensure that smoke impacts do not cause or contribute to an exceedance of a state or federal ambient air quality standard or cause a public nuisance.

Persons conducting prescribed burning in the District have been required to obtain District approval of a "smoke management plan" for all Wildland Vegetation Management burning activities, commonly referred to as "prescribed burning" in Title 17, since October 2, 1990, when this requirement was adopted as a part of District Rule 401. Over the last 10 years, through the course of its review and approval of submitted "smoke management plans", the District has developed an ongoing working relationship with virtually all of the prescribed burners in the County. This partnering relationship has also played a key role in the District's efforts to adopt and implement these Smoke Management Guidelines. However, for purposes of clarity, Rule 401 currently contains sufficient authority to implement this policy. Once the Air Resources Board has approved this policy, the District intends to amend Rule 401 to specifically incorporate particular newly promulgated requirements of Title 17 and this policy.

The District has historically had a successful cooperative program applicable to all agricultural and prescribed burning activities in Santa Barbara County. The total number of acres burned yearly has remained fairly constant over the last several years, averaging about 15,000 acres each year. More than 90 percent of the acreage burned each year is associated with prescribed burning activities, with less than 10 percent of the acreage

being associated with agricultural burning. On average, during the last 3 years, 10,000 acres per year have been burned under the control of the County of Santa Barbara as either a wildland vegetation management or range improvement burn.

All agricultural burning in the District is authorized by issuance of a burn permit by one of the ARB-designated fire protection agencies. All agricultural burns are accomplished by pile burning of materials appropriately field-dried and free of non-agricultural materials in accordance with Rule 401 requirements. Broadcast burning is not authorized in Santa Barbara County as a means of burning agricultural waste materials. The size of the pile(s) are regulated with the fire protection agency as a matter of fire safety and control; however most piles range between 10-20 feet in diameter and 6-10 feet in height. According the County of Santa Barbara Fire Department, approximately 300 agricultural burn permits are issued each year. The only other designated agency that has issued agricultural burn permits during the last 3 years is the Carpinteria-Summerland Fire Protection District; however, their numbers are very small, totaling approximately 360 tons of material annually or about 36 acres a year at a fuel loading of 10 tons per acre.

The District receives relatively few complaints related to agricultural burning. During the last 3 years (1999-2000) the District received 1175 complaints, or an average of 391 complaints per year. 12 complaints related to agricultural burning activities were made during this 3-year period, accounting for approximately 1percent of the total district-wide complaints. During the same 3-year period the District received only 5 complaints (0.42%) associated with prescribed burning activities.

The guidelines are divided into six sections: permitting, registration, authorization, planning, resources and enforcement. Each section details the procedures to be used by District staff for that particular issue. Some sections list specific actions that are required, while others may only list general guidelines or procedures that are meant to provide direction to District staff. Since smoke management is a complex endeavor that is affected by many variables, no written policy can cover every conceivable situation. These guidelines are designed to be used for general direction, but should not override common sense in regulating this kind of burning in Santa Barbara County.

Section 1- Burn Permits

a) All agricultural and prescribed burning requires a valid permit from the District or a designated agency.

b) A valid burn permit is also required from the fire protection agency that has jurisdiction in the area of the proposed burn project.

c) All permits issued by any designated agency for any open burning must have a check box on the permit specifying whether Air District approval is required prior to igniting the burn. Prescribed burning is not permitted pursuant to such permits without obtaining District approval as detailed in Section 3 - Burn Authorization.

d) Burning conducted pursuant to permits issued by the District or a designated agency must comply with all the conditions specified on the permits. Failure to abide by permit conditions is a violation of Section 41852 of the California Health and Safety Code and District Regulation IV.

e) All permits issued for agricultural and prescribed burning by the District or designated agencies must contain the following words or words of similar import: "this permit is valid only on those days during which agricultural burning, including prescribed burning, is not prohibited by the State Air Resources Board or by an air district pursuant to Section 41855 of the Health and Safety Code, and when burning on the lands identified herein has been approved by the air district".

f) The District may issue special permits for agricultural and prescribed burning on no-burn days if denial of such permits would threaten imminent and substantial economic loss. The District limits the amount of burning that can occur pursuant to the issuance of such a permit to the extent that it ensures no exceedances of air quality standards or smoke impacts to smoke sensitive areas. Each applicant for a permit to burn on a no-burn day shall supply such additional information as is required by the District to enable the District to make this determination.

Section 2 - Registration and Reporting

a) All persons who desire to conduct prescribed burning in the District in any particular calendar year must register their planned burn projects with the District. Project updates or additions to this registration process are accepted throughout the year. The burn registration must include: the name of the permittee, including a contact person with phone number; a listing of all projects planned, project location and total acreage to be burned.

b) The District will accept burn registrations in whatever format the registrant wishes to use, as long as the required information in included in the registration. The District will supply a generic annual burn registration form to those registrants that so desire one (Appendix A).

c) A report of the agricultural and prescribed burning conducted each calendar year in the District is submitted to ARB within 45 days of the end of each calendar year. The report includes the estimated tonnage and/or acreage for each type of waste burned from both agricultural and prescribed burning in Santa Barbara County.

d) The District also reports all special permits (no-burn day permits) issued each calendar year within 45 day of the end of each calendar year. This report includes the number of such permits issued, the date of issuance of each permit, the person or persons to whom the permit was issued, an estimate of wastes burned pursuant to the permit, and a summary of the reasons why denial of each permit would have threatened imminent and substantial economic loss.

e) The District has an electronic tracking and reporting system for prescribed burning and will continue using this system for the purposed of the Smoke Management Program. On a yearly basis, the District requests submittal of all agricultural and prescribed burning information required by either section c) or d) above from the designated agencies authorized to issue agricultural burn permits. The District will include this information with its report to the ARB. Once the Air Resources Board establishes an electronic reporting system for agricultural and prescribed burning, the District will modify this section of its Smoke Management Program to participate in the reporting system, unless the system requires considerable District resources.

Section 3 - Burn Authorization System

a) The District operates a daily burn authorization system that regulates agricultural and prescribed burning. The burn authorization system specifies the amount, timing, and conditions for burn projects on a daily basis within the District boundaries.

b) The purpose of the burn authorization system is to minimize smoke impacts to smoke sensitive areas, avoid cumulative smoke impacts, and prevent public nuisance. As such, all burn authorization requests are evaluated first by these considerations.

c) In evaluating burn authorization requests, the District considers the following factors:

- Air quality;
- Meteorological conditions expected during burning;
- Types and amounts of material to be burned;
- Locations of smoke sensitive receptors; and,
- Smoke from all burning activities, including burning in neighboring air districts or regions that may affect the air quality in this District.

d) Burn authorizations for prescribed burning are given on a first come - first served basis. The District coordinates with all prescribed burners, as we have done for the last 10 years, to avoid conflicts in burn planning, which ensures that no more than one burn is authorized on the same day in the same general area. Such efforts are necessary to avoid potential adverse air quality impacts to smoke sensitive areas and the generation of public complaints. Once a burn authorization is given by the District, it will only be rescinded if meteorological conditions change such that adverse air quality impacts are likely, or if burning by a fire protection agency to abate an imminent fire hazard is suddenly and unexpectedly required in the same area.

e) General agricultural burning – small quantities – is authorized upon issuance of the burn permit by the designated fire protection agency. General agricultural burns are considered small quantity burns. In order to ensure that such burning does not cause or contribute to adverse air quality impacts or the generation of public complaints, such burning is restricted to days declared by the ARB as a permissive-burn day. A marginal burn day shall be considered a no-burn day for general agricultural burning. Further, general agricultural burning is prohibited on any day during which prescribed burning is authorized. The District coordinates with designated fire agencies to ensure implementation of these burn prohibitions.

f) Residential open burning authorized under District Rule 312 is limited to permissive-burn days. A marginal burn day is considered a no-burn day for residential open

burning. Further, residential open burning is prohibited on any day during which prescribed burning is authorized. The District coordinates with designated fire agencies to ensure implementation of these burn prohibitions.

g) A burn authorization from the District only authorizes the ignition of a burn if the smoke management conditions given in the Smoke Management Plan are met at the time of ignition and are expected to be met for the duration of the burn. A burn authorization does not relieve the burner from meeting the conditions of the Smoke Management Plan for the specific burn. It is the burn operator's responsibility to make sure all conditions listed in the Smoke Management Plan are met prior to ignition. To validate the specific smoke transport conditions that exist on each site, we require the burn operators to either release a helium filled balloon or ignite a small pile of brush to verify that favorable smoke transport conditions exist. District authorization to conduct prescribed burning is documented in our approval of a project-specific Smoke Management Plan (Appendix B).

h) When the District has given written authorization for a specific burn, a unique identifying number is assigned to that burn to track the particular burn and provide confirmation to the burner that the burn has been authorized. The number will correspond to the permit number issued by the designated fire protection agency.

i) To request a burn authorization, a burn operator must submit a District-approved Smoke Management Plan incorporated herein as Appendix B.

j) In order to help plan burn projects prior to requesting a burn authorization from the District, burn operators may obtain a 96, 72 or 48 hour forecast for specific burns from the Air Resources Board duty meteorologist. These forecasts are not a substitute for a burn authorization, and contain no guarantee that a favorable forecast will necessarily lead to a burn authorization approval, but are intended solely to help in burn project planning.

k) The District maintains a daily log, recording any burn authorizations approved, the location of the burns, the amounts of material burned, number of complaints received about agricultural and prescribed burning, planned and unplanned wildfires occurring that day, and any other relevant information related to smoke impacts for that day. This data is used in the burn authorization process in the following days, in evaluating the success and efficiency of the smoke management program, in response to citizen complaints, and in the preparation of reports related to the smoke management program.

l) Multi-day burns require authorization be obtained on a daily basis from the District to continue with burn.

m) If a burn project may impact airsheds in other Districts, the District staff shall notify the appropriate air quality agency prior to ignition. Any concerns these agencies have over the planned burn will be incorporated in the authorization.

Section 4 - Smoke Management Planning for Planned Wildland, Prescribed and Range Improvement Burn Projects

a) The District requires registration, annually or seasonally, of all planned wildland, prescribed and range improvement burn projects, including areas considered for potential naturally-ignited wildland fires managed for resource benefits, with updates as they occur.

b) The District requires the submittal of smoke management plans for all prescribed burning projects regardless of size. All burn project applicants are required to submit for District review and approval a complete Smoke Management Plan utilizing the District's approved form incorporated herein as Attachment B. General information and conditions for all burns projects include the following:

1) Project name, location, size (acres), types and amounts of material to be burned;
2) Identification of responsible personnel, including telephone contacts;
3) Particulate matter emissions and EPA-approved calculation method;
4) Requirement that when a natural ignition occurs on a no-burn day, the initial "go/no-go" decision to manage the fire for resource benefit will be a "no-go" unless:
    a) After consultation with the District, the District decides, for smoke management purposes, that the burn can be managed for resource benefit; or
    b) For periods of less than 24 hours, a reasonable effort has been made to contact the District, or if the District is not available, the ARB;
    c) After 24 hours, the District has been contacted, or if the District is not available, the ARB has been contacted and concurs that the burn can me managed for resource benefit.

    A "no-go" decision does not necessarily mean that the fire must be extinguished, but that the fire cannot be managed as a prescribed fire;

5) Identification of vegetation conditions and burn limitations to minimize smoke, including requirement for materials to be piled, where possible;
6) If applicable, California Department of Fish and Game statement certifying that the burn is desirable and proper;

7) Require ignition of the burn project not occur unless all conditions and requirements stated in the Smoke Management Plan are met prior to ignition on the day of the burn event, the ARB and the APCD have both declared the day to be a burn day, and the APCD has authorized the burn on the day of the burn;
8) Public notification procedures, including requirement for appropriate signage at burn sites, and for reporting of public smoke complaints; and
9) Procedures for permittees to report public smoke complaints to the District

c) For prescribed burning projects greater than 10 acres or producing more than 1 ton of particulate matter, permittees are, in addition to the information required in b) above, subject to the following conditions and information submittals as part of their Smoke Management Plan:
   1) Requirement to submit a Smoke Management Plan within 72 hours of the start of any naturally ignited wildland fire managed for resource benefits that is expected to exceed 10 acres in size;
   2) Identification of method of ignition;
   3) Expected duration of fire from ignition to extinction; and
   4) Identification of smoke sensitive areas

d) For prescribed burning projects greater than 100 acres or producing more than 10 tons of particulate matter, permittees are, in addition to the information required in b) and c) above, subject to the following conditions and information submittals as part of their Smoke Management Plan:
   1) Identification of meteorological conditions and smoke management criteria necessary for ignition;
   2) Projections, including a map, of where smoke from burns are expected to travel both day and night;
   3) Specific contingency actions (such as fire suppression or containment) that will be taken if smoke impacts occur or meteorological conditions deviate from those specified in the Smoke Management Plan;
   4) An evaluation of alternatives to burning considered (projects that have met applicable National Environmental Policy Act and/or California Environmental Quality Act requirements will be considered to have complied with this provision).

e) If smoke may impact "smoke sensitive areas", the District requires smoke management plans include appropriate monitoring provisions, which may include visual monitoring, ambient particulate matter monitoring or other monitoring approved by the District, for the following burn projects:
   1) Projects greater than 250 acres;
   2) Projects that will continue burning or producing smoke overnight;
   3) Projects conducted near smoke sensitive areas; or
   4) As otherwise required by the District

f) The District requires, as appropriate, daily coordination between the burn operator or his/her designee and the District or the ARB for multi-day burns which may impact smoke sensitive areas, to affirm that the burn project remains within the conditions specified in the Smoke Management Plan, or whether contingency actions are necessary.

g) District review and approval of smoke management plans is required. The District provides notice to the ARB of large or multi-day burns as specified in e) and f) above and consults with the ARB on procedures for ARB review and approval of large or multi-day burns as specified in e) and f).

h) The District requires the submittal of a post burn evaluation for fires greater than 250 acres.

Section 5 - District Resources

a) Internet Meteorological Resources

The APCD's meteorological forecasting and analysis capability is primarily Internet based. The APCD is able to access real-time meteorological data from a variety of sites in the county, forecasting for the entire region from multiple sources. Primary sites the APCD uses include:

1. The National Weather Service – Oxnard - http://www.nwsla.noaa.gov/

   This site is extremely useful, as it has links to forecast discussions and models (including the very useful mesoscale MM5 model - http://www.nwsla.noaa.gov/meso.html which gives very detailed wind field forecasts at three-hour intervals), current meteorological conditions throughout the area, satellite imagery, and fire weather forecasts.

2. Fire Weather Forecast - Hanford - http://www.boi.noaa.gov/FIREWX/SFOFWFFAT.html, and

3. Forest Service Fire Weather Sites - http://www.fs.fed.us/r5/fire/north/fwx/ and http://www.fs.fed.us/r5/fire/south/fwx/

   These sites provide zonal weather forecasts for the entire region with an emphasis on meteorological conditions affecting fire behavior. In addition, these sites provide regional information on meteorological aspects of smoke transport and atmospheric stability. Local RAWS data is accessible from this site also, although only one station (Los Prietos) is currently available in our county.

4. Wind Profiler - http://www.weather.nps.navy.mil/profiler/map/socal.html

   This site is extremely useful in determining patterns of low level (surface to 2,000-3,000 meters) wind direction and speed with time and height over the most recent 24-hour period.

5. Vandenberg ARB Sounding - http://meteora.ucsd.edu/weather/cdf/images/vbg_skewt.gif

   This is measured sounding data from Vandenberg Air Force Base, measured twice daily at 00z and 12z. It is most useful in determining lifting indices and inversion levels.

b) Other Meteorological Resources

The APCD has a staff member experienced in forecasting who routinely interacts with CARB forecasters, a Ventura APCD forecaster (Kent Field), and fire personnel to enable the APCD to provide valued input to CARB to enable them to make the best forecast possible for the situation. CARB forecasters have made themselves readily available to discuss various aspects of the forecast and have proven receptive to suggestions from APCD staff on modifying the burn day status prior to issuance. They also provide 48-hour forecasts, 72-hour outlooks, and 96-hour trends that are valuable to APCD staff in planning the burn authorization process and burn operators in planning their burn projects.

The District possesses some portable meteorological instruments that can be used to assess on-site conditions at remote sites. These include thermometers, anemometers and sling psychrometers.

c) Air Monitoring Resources

The District utilizes fixed site monitoring stations to monitor impacts from agricultural and prescribed burning. High volume SSI PM10 stations in Santa Maria, Lompoc and Santa Barbara are used to monitor form violations of Federal and State Ambient Air Quality Standards. The District also operates portable visual equipment (cameras and binoculars) to observe and document smoke impacts and plume dispersion characteristics.

Section 6 - Inspection and Enforcement

a) Subject to the constraints of staff time and availability, District staff conducts on-site inspections of a representative number of agricultural and prescribed burns each year. Such inspections are prioritized based on the following criteria:
   1) Active burns that are conducted in an area or by a source that historically generates many complaints;
   2) Active burns that are generating complaints;
   3) Active burns that are large (110+acres) or located near sensitive receptors; and
   4) Planned burns representing a variety of sources and fuels

b) Inspections of active burns document that meteorological conditions are within acceptable parameters; that the amount of acreage and/or fuel given in the burn registration and authorization is what is actually being burned; and that the burn is not impacting any sensitive receptors.

c) Inspections of planned burns document that the projected acreage and/or fuel loading is consistent with that reported on the permit; that the meteorological prescription is reasonable for the location; and that actions taken to reduce fuel loading and/or smoke emissions have been carried out.

d) If unacceptable smoke impacts occur to a smoke sensitive area from an authorized burn, and such impacts are verified by District staff, then the burn operator is promptly notified and required to take such contingency actions as are possible.

e) Violations of the District's Smoke Management Program are documented through issuance of a Notice of Violation, Minor Infraction Notice or Notice to Comply in accordance with District policy consistent with violations for any other District rule or regulation. The District's Mutual Settlement Policy and Procedure is used to determine penalties and guide enforcement actions.

APPENDIX A

Prescribed Burning Registration Form

APPENDIX B

SMOKE MANAGEMENT PLAN

Santa Barbara County
Air Pollution Control District
Prescribed Burning Registration Form
July 2001 – June 2002 [CCR 80160(a)]

Agency: _____ E-mail: _____

Contact: _____ Phone: _____

Burn Name	Proposed Burn Date(s)/Season	Location	Acreage

Please return to APCD by June 1, 2001 26 Castilian Drive B-23, Goleta 93117 Attn: Mike Broughton Phone: 961-8872

E-mail: mdb@sbcapcd.org

SMOKE MANAGEMENT PLAN

SANTA BARBARA COUNTY
AIR POLLUTION CONTROL DISTRICT

INSTRUCTIONS: Any person wishing to conduct prescribed burning shall first submit and obtain written approval of a Smoke Management Plan (SMP) from the Santa Barbara County Air Pollution Control District (APCD). Please complete and fill in all applicable information in Sections A through E of the SMP and submit to the APCD for approval. Please send your SMP to the attention of Mr. Michael Broughton at 26 Castilian Drive, B-23, Goleta, CA 93117. Should you have any questions regarding this Plan, please contact Mr. Broughton at (805) 961-8800.

SECTION A: GENERAL INFORMATION AND CONDITIONS FOR ALL PRESCRIBED BURN PROJECTS

A.1. Project Name

Project Name: _____ Project Size (acres): _____

Permittee: _____ Permit No.: _____

A.2. Project Location (CCR 80160(b))

Project Location: _____

Legal Coordinates UTM Coordinates Latitude/Longitude

S ___ T ___ R ___ N _____ m E _____ m Lat _____ Long _____

Project elevation (feet): Top: _____ Bottom: _____

The burn project is located in the following county (ies): _____

A.3. Responsible Personnel (CCR 80160(b))

Project Supervisor: _____ Tel: (805) _____ - _____

Project Field Contact: _____ Tel: (805) _____ - _____

A.4. Type and Amount of Material to be Burned (CCR 80160(b))

The purpose of this burn project is:

___ Forest Management Burning

___ Range Improvement Burning

___ Wildland Vegetation Management Burning

Type of project: ___ Machine pile burn ___ Hand pile burn ___ Understory

___ Landing pile burn ___ Broadcast ___

Vegetation type: ___ Brush ___ Grass ___ Timber Litter ___ Timber Slash

Project area (acres): _____ Project fuel loading (tons/acre): _____

Particulate matter emissions (tons PM10): _____

EPA-approved calculation method: USDA, Table 8, "Air Quality Conformity Handbook"

A.5. Natural Ignition on a No-burn Day (CCR 80160(h))

When a natural ignition occurs on a no-burn day, the initial "go/no-go" decision to manage the fire for resource benefit will be a "no-go" unless:

1. After consultation with Santa Barbara APCD, the APCD decides, for smoke management purposes, that the burn can be managed for resource benefit; or
2. For periods of less than 24 hours, a reasonable effort has been made to contact the APCD, or if the APCD is not available, the Air Resources Board (ARB); or
3. After 24 hours, the APCD has been contacted, or if the APCD is not available, the ARB has been contacted and concurs that the burn can be managed for resource benefit.

A "no-go" decision does not necessarily mean that the fire must be extinguished, but that the fire cannot be managed as a prescribed fire.

A.6. Condition of Vegetation and Burn Limitations to Minimize Smoke (CCR 80160(m)(n) and (o))

1. To minimize smoke, vegetation will be in the following condition during combustion, considering fire safety and other factors:

   _____

   _____

   _____

2. To minimize smoke, vegetation will be piled and prepared as follows:

   _____

   _____

   _____

3. To minimize smoke, burning will be limited as follows:

   No more than _____ piles per day and no more than _____ piles at one time.
   No more than _____ acres per day and no more than _____ acres at one time.
   No less than _____ hours between ignitions

A.7. California Department of Fish and Game (CDFG) Statement (CCR 80160(p))

☐ *Check if applicable*

This burn project is to be done primarily for improvement of land for wildlife or game habitat. A statement from CDFG is attached to this SMP that certifies that this burn is desirable and proper.

A.8. Public Notification Procedures (CCR 80160(l))

The permittee shall begin public notification before the day of burning. The notification shall be continuous until end of burning.

The permittee will use the following procedures to notify and educate the public about this burn project

___ Television ___ Radio ___ Newspaper ___ Posters/flyers ___ Telephone calls
___ Other (Explained below)

The specifics of the notification procedure(s) checked above are as follows:

_____

_____

_____

The permittee will notify the adjacent Air Districts listed below about the burn project when smoke may travel into and/or the permittee knows that smoke has traveled into those jurisdictions.

Adjacent Air Districts Potentially Impacted by Smoke from the burn:

Ventura County APCD		**San Luis Obispo County APCD**	
Contact:	Kent Field 669 County Square Dr. Ventura, CA 93003-541	Contact:	Karen Brooks 3433 Roberto Ct. San Luis Obispo, CA 93401-7126
Telephone:	(805) 662-6960	Telephone:	(805) 781-5912
FAX	(805) 645-1444	FAX	(805) 781-1002

A.9. Procedures for Permittees to Report Public Smoke Complaints to Air Districts (CCR80160(l))

The permittee shall immediately report any air quality smoke complaints received about this burn project to the Santa Barbara County APCD. A phone call to the APCD during normal business hours will suffice. During non-business hours, a fax or voice mail message will suffice. The complaint report shall include the following:

1. The location of the smoke impact, a short description of the smoke behavior including wind direction and speed, visibility, and public safety impacts if available from the complainant.
2. The permittee shall inform the complainant that he or she may also contact the APCD directly and shall provide the APCD name, telephone number and address.
3. The permittee shall, in coordination with the APCD, seek resolution for all complaints, as necessary.
4. The permittee shall keep a log of all complaints about this burn project for one year from the conclusion of the burn project.

SECTION B: THIS SECTION APPLIES TO BURN PROJECTS GREATER THAN 10 ACRES OR PRODUCING MORE THAN 1 TON OF PARTICULATE MATTER

☐ *Check if applicable*

B.1. SMP Requirement for Natural Ignition Over 10 Acres (CCR 80160(i))

The permittee shall submit a SMP to the APCD within 72 hours of the start of any naturally ignited wildland fire managed for resource benefits that is expected to exceed 10 acres in size.
This SMP is submitted for a naturally ignited wildland fire subject to the above criteria.

Yes: _____ No: _____

B.2. Method of Ignition

Ignition Device Type:	Helitorch:	___	Hand Drip:	___	Other:	___
	Describe:	_____				
Firing Pattern:	Headfire:	___	Backfire:	___	Stripfire:	___
	Spotlighting:	___	Other:	___		
	Describe:	_____				

B.3. Expected Duration of the Fire from Ignition to Extinction (CCR 80160(b))

Ignition:	_____	(hours or days)	Burndown:	_____	(hours or days)
Mopup:	_____	(hours or days)	Total Time:	_____	(hours or days)

Proposed burn dates are _____

Proposed burn hours for the fire are: _____

B.4. Identification of all Smoke Sensitive Areas (SSA) (CCR 80160(b))

This burn project is located near or adjacent to following SSAs:

SSA	Distance from Burn Site (Miles)
_____	_____
_____	_____

_____ The attached map also shows the SSAs.

_____ **Section D.1** describes the site monitoring requirements.

SECTION C: THIS SECTION APPLIES TO BURN PROJECTS GREATER THAN 100 ACRES OR PRODUCING MORE THAN 10 TONS OF PARTICULATE MATTER.

☐ *Check if applicable*

C.1. Meteorological Conditions and Smoke Management Criteria Necessary for Ignition (CCR 80160(c))

Surface wind direction:	Ideal	_____	Acceptable	_____	Unacceptable	_____
Surface wind speed:	Ideal	_____	Maximum	_____	Minimum (mph)	_____
Aloft wind direction:	Ideal	_____	Acceptable	_____	Unacceptable	_____
Aloft wind speed:	Ideal	_____	Maximum	_____	Minimum (mph)	_____
FM content (dead):	Ideal	_____	Maximum	_____	Minimum (%)	_____
FM content (dead):	Ideal	_____	Maximum	_____	Minimum (%)	_____
Relative humidity:	Ideal	_____	Maximum	_____	Minimum (%)	_____
Mixing height:	Ideal	_____	Acceptable	_____	Unacceptable	_____

The permit will request an ARB forecast for this project pursuant to CCR 80145(f).

No: _____ Yes: _____ Type of forecast (48/72/96 hour): _____

The permittee will use a site specific forecast for this project.

No: _____ Yes: _____ If yes, indicate meteorologist: _____

C.2. **Projections of Smoke Travel (Day and Night)** (CCR 80160(c))

The attached map also shows where the smoke from the project is expected to travel.

The permittee expects this project to burn past daylight hours and/or for more than one day.

No ____

Yes ____ the smoke travel projections for both day and night are shown on the attached map

C.3. **Specific Contingency Actions** (CCR 80160(c))

The attached map indicates interior units and cutoff lines. The permittee will take the following specific contingency actions if smoke impacts occur or if meteorological conditions deviate from those specified in this SMP.

____ Stop ignitions, except as needed to maintain control of fire

____ Begin fire suppression

____ Request fire suppression

____ Begin mop up within ____ 1 hr. ____ 8 hrs. ____ 24 hrs. ____ 48 hrs.

____ Complete mop up within ____ 18 hrs. ____ 24 hrs. ____ 48 hrs.

____ Other (explain): _____

_____

The permittee will make the following equipment available for the contingencies listed above:

_____

_____

C.4. **Evaluation of Alternatives to Burning** (CCR 80160(c))

This evaluation consists of the following:

____ It is a part of the environmental documentation required for the burn project pursuant to the National Environmental Policy Act or the California Environmental Quality Act and is attached to this SMP.

____ Alternatives to reduce fuel load as described below:

Alternative	Extent Used	Particulate Reduction(tons)

Total particulate reductions from alternatives: _____

The following alternatives to burning were considered, but not carried out:

Alternative	Reason for Rejection

SECTION D: ADDITIONAL REQUIREMENTS .

D.1. Project Monitoring Requirements (CCR 80160(d))

☐ *Check if applicable*

The permittee will monitor the burn project for meteorological conditions and smoke behavior before, during and after the burn using the following techniques and timing:

	Method	Location	Beginning	Interval	Ending
_____	Winds (Dir & Speed)	_____	_____	_____	_____
_____	Test Fire	_____	_____	_____	_____
_____	Balloon	_____	_____	_____	_____
_____	RAWS	_____	_____	_____	_____
_____	Aircraft	_____	_____	_____	_____
_____	Visual	_____	_____	_____	_____
_____	Other, description	_____			
_____	Other, description	_____			

Project monitoring is further described below:

_____

_____

_____

D.2. Multi-Day Burn Daily Coordination (CCR 80160(e))

☐ *Check if applicable*

The permittee will coordinate daily with the APCD regarding this multi-day burn which may impact SSAs, to affirm that the burn project remains within the conditions specified in this SMP, and/or whether contingency actions are necessary.

APCD contact: Michael Broughton
Tel: (805) 961-8800
Fax: (805) 961-8801
E-mail: broughtonm@sbcapcd.org

The permittee will use the frequency and method of contact as described below:

_____

_____

The permittee will follow any instructions by the APCD to communicate directly with ARB when necessary.

D.3. Post Burn Evaluation for Projects over 250 Acres (CCR 80160(k))

☐ *Check if applicable*

The permittee will provide a post-burn evaluation to the APCD within 30 days of project completion. The evaluation will address whether or not the SMP objectives were met. The evaluation shall also address each of the following:

a) What were the meteorological conditions (wind speed, direction, temperature, relative humidity (%)), prior to, during and following the burn?

b) Did the weather meet the prescription?

c) Were there smoke impacts? Is so, where? How were the impacts monitored and documented?

d) Were there complaints related to smoke impacts from the burn? If so, list them. How were the complaints responded to and remedied?

e) What went wrong, if anything, with the weather or smoke? How can this be improved upon for future burns?

SECTION E: TO BE COMPLETED BY ALL APPLICANTS

E.1. Preparer's Name and Signature

SMP Submittal Date: _____

Permittee: _____

Preparer's Name: _____ Title: _____ Phone: _____

Preparer's Signature: _____

I, the undersigned permittee, understand that this SMP, once approved by the APCD, is a conditional permit to burn, when combined with my agricultural burn permit.

The above statements are true to the best of my knowledge. I authorize the permit issuing agency and the APCD to inspect the burn sites described above for compliance with APCD rules, the Health and Safety Code and related regulations, and the APCD Smoke Management Program. I absolve the APCD and fire protection agencies with authority over the burn sites mentioned above of any and all liability for damage of any kind whatsoever that may occur as a result of any burning operations that I conduct or allow.
I understand that this SMP does not excuse me from liability in the event such burning operations create a nuisance or hazard. I understand all of the burning permit conditions specified in this SMP and will be responsible for compliance. I am aware that failure to comply with the permit conditions, SMP, APCD rules, the Health and Safety Code and any regulations pertaining to agricultural burning may result in civil penalties or criminal prosecution.

Smoke Management Plan Conditions Must Be Met on Day of Burn (CCR 80160(j))

Ignition of this burn project will not occur unless all conditions and requirements stated in this Smoke Management Plan (SMP) are met prior to ignition on the day of the burn event, the ARB and the APCD have both declared the day to be a burn day, and the APCD has authorized the burn on the day of the burn.

Name of Permittee or Authorized Representative: _____

Permittee or Authorized Representative Signature: _____

FOR DISTRICT USE ONLY

___ I have reviewed and approved this SMP as a conditional burn permit to be combined with agricultural burn permit number _____, which expires on _____.

___ This burn project is greater than 250 acres and/or is a multi-day burn which requires ARB consultation prior to final approval pursuant CCR 80160(g)).
Date ARB Notified: _____ Date ARB approval received: _____

Name: _____

Signature: _____

Agency: _____

Date: _____

RULE 401. AGRICULTURAL AND PRESCRIBED BURNING. (Adopted 10/18/1971, readopted 10/23/1978, revised 10/2/1990, and 5/16/2002)

A. Applicability

This rule applies to all agricultural and prescribed burning conducted in Santa Barbara County.

The provisions of this Rule implement the Smoke Management Guidelines for Agricultural and Prescribed Burning, promulgated under Article I, Subchapter 2, Title 17, California Code of Regulations and as amended in January 2001.

B. Definitions

See Rule 102 for definitions not limited to this rule. For the purposes of this rule, the following definitions shall apply:

1. **"Air quality"** means the characteristics of the ambient air as indicated by state ambient air quality standards which have been adopted by the state board pursuant to Section 39606 of the California Health and Safety Code and by National Ambient Air Quality Standards which have been established pursuant to Sections 108 and 109 of the federal Clean Air Act pertaining to criteria pollutants and Section 169A of the federal Clean Air Act pertaining to visibility.

2. **"Ambient air"** means that portion of the atmosphere, external to buildings, to which the general public has access.

3. **"Burn Plan"** means an operational plan for managing a specific fire to achieve resource benefits and specific management objectives. The plan includes, at a minimum, the project objectives, contingency responses for when the fire is out of prescription with the smoke management plan, the fire prescription (including smoke management component), and a description of the personnel, organization, and equipment.

4. **"Burn project"** means an active or planned prescribed burn or a naturally ignited wildland fire managed for resource benefit.

5. **"Designated agency"** means any agency designated by the Air Resources Board as having authority to issue agricultural or prescribed burning permits. The District may request such a designation for an agency. The U.S. Department of Agriculture Forest Service and the California Department of Forestry and Fire Protection are so designated within their respective areas of jurisdiction.

6. **"Fire protection agency"** means any agency with the responsibility and authority to protect people, property, and the environment from fire, and having jurisdiction within a district or region.

7. **"Forty-eight hour forecast"** means a prediction of the meteorological and air quality conditions that are expected to exist for a specific prescribed burn in a specific area 48 hours from the day of the prediction. The prediction shall indicate a degree of confidence.

8. **"Land manager"** means any federal, state, local, or private entity, or his or her designee, who administers, directs, oversees, or controls the use of public or private land, including the application of fire to the land.

9. **"Marginal burn day"** means a day when limited amounts of prescribed burning, for individual projects in specific areas for limited times, is not prohibited by the state board and burning is authorized by the District consistent with this rule.

10. **"Ninety-six hour trend"** means a prediction of the meteorological and air quality conditions that are expected to exist for a specific prescribed burn in a specific area 96 hours from the day of the prediction.

11. **"No-burn day"** means any day on which agricultural burning, including prescribed burning, is prohibited by the Air Resources Board or the District.

12. **"Permissive-burn day," or "burn day"** means any day on which agricultural burning, including prescribed burning, is not prohibited by the state board and burning is authorized by the District consistent with this rule.

13. **"Pre-fire fuel treatment"** means any of several vegetation removal techniques that can reasonably be employed prior to prescribed burning to reduce the amount of vegetation that would otherwise be consumed in a prescribed fire.

14. **"Prescribed burning"** means the planned application of fire to vegetation to achieve any specific objective on lands selected in advance of that application. The planned application of fire may also include natural or accidental ignition.

15. **"Prescribed fire"** means any fire ignited by management actions to meet specific objectives, and may include naturally ignited wildland fires managed for resource benefits.

16. **"Residential burning"** means burning for the disposal of the combustible or flammable solid waste of a single-or two-family dwelling on its premises.

17. **"Seventy-two hour outlook"** means a prediction of the meteorological and air quality conditions that are expected to exist for a specific prescribed burn in a specific area 72 hours from the day of the prediction.

18. **"Smoke management plan"** means a document prepared for each fire by land managers or fire managers that provides the information and procedures required in Section D.

19. **"Smoke management prescription"** means measurable criteria that define conditions under which a prescribed fire may be ignited, guide selection of appropriate management responses, and indicate other required actions. Prescription criteria may include, but are not limited to, minimizing smoke impacts, and safety, economic, public health, environmental, geographic, administrative, social, or legal considerations such as complying with Health and Safety Code section 41700, public nuisance statute.

20. **"Smoke Management Program"** means the program defined in the Smoke Management Guidelines for Agricultural and Prescribed Burning, promulgated under Article I, Subchapter 2, Title 17, California Administrative Code.

21. **"Smoke sensitive areas"** are populated areas and other areas where the District determines that smoke and air pollutants can adversely affect public health or welfare. Such areas can include, but are not limited to, towns and villages, campgrounds, trails, and other populated recreational areas, hospitals, nursing homes, schools, roads, airports, public events, shopping centers, and mandatory Class I areas.

22. **"Wildfire"** means an unwanted wildland fire.

23. **"Wildland"** means an area where development is generally limited to roads, railroads, power lines, and widely scattered structures. Such land is not cultivated (i.e., the soil is disturbed less frequently than once in 10 years), is not fallow, and is not in the United States Department of Agriculture Conservation Reserve Program. The land may be neglected altogether or managed for

such purposes as wood or forage production, wildlife, recreation, wetlands, or protective plant cover.

24. **"Wildland fire"** means any non-structural fire, other than prescribed fire, that occurs in the wildland.

25. **"Wildland/urban interface"** means the line, area, or zone where structures and other human development meet or intermingle with the wildland.

C. General Requirements – Agricultural and Prescribed Burning

1. Burn Permits

   a. No person shall knowingly set or allow agricultural or prescribed burning unless he or she has a valid permit from the District or designated agency.

   b. A valid burn permit is also required from the fire protection agency that has jurisdiction in the area of the proposed burn project.

   c. Burning conducted pursuant to permits issued by the Control Officer or a designated agency shall comply with all the conditions specified on the permits. Failure to abide by permit conditions is a violation of section 48152 of the California Health and Safety Code and District Regulation IV.

   d. All permits issued by the Control Officer or designated agencies for agricultural and prescribed burning must contain the following words or words of similar import: "This permit is valid only on those days during which agricultural burning, including prescribed burning, is not prohibited by the Air Resources Board or by the District pursuant to section 41855 of the California Health and Safety Code, and when burning on the lands identified has been approved by the District."

   e. Permits issued by designated agencies and fire protection agencies shall be subject to the rules and regulations of the District.

   f. The Control Officer may issue special permits for agricultural and prescribed burning on days designated as no-burn days if the denial of such permit would threaten imminent and substantial economic loss. In authorizing such burning, the District may limit the amount of material that can be burned in any one day such that the burning is not likely to cause or contribute to exceedances of air quality standards or result in smoke impacts to smoke sensitive areas.

   g. Each applicant for a permit shall provide information required by the designated agency for fire protection purposes.

   h. Each applicant for a permit shall provide information requested by the District.

2. Registration and Reporting

   a. All persons desiring to conduct prescribed burning in the District in any particular calendar year shall register their planned burn projects with the District by May 15th of each year. Project updates or additions to this registration process are required to be submitted throughout the year. The burn registration shall include: the name of the permittee, including a contact person with phone number; a listing of planned projects; project location and total acreage to be burned.

b. Designated agencies shall submit a written report to the District on agricultural and prescribed burning conducted pursuant to this rule by February 1st of each year. The report shall include the estimated tonnage or acreage burned in agricultural burning operations and the estimated tonnage burned in prescribed burning operations during the prior calendar year.

c. Designated agencies shall issue agricultural burning permits for open burning in agricultural operations only.

3. Permissive Burn, Marginal Burn, or No-Burn Days

a. Agricultural burning is permitted only on days designated as permissive burn days by the Air Resources Board. Such designations will be announced by 3:00 p.m. every day whether the following day is a permissive burn day, a marginal burn day, or a no-burn day, or whether the decision will be announced the following day. If conditions preclude a forecast until the next day, the decision will be announced by the Air Resources Board by 0745. Such notices are based on Meteorological Criteria for Regulating Agricultural Burning and Prescribed burning, set forth in the Air Resources Board's Smoke Management Guidelines for Agricultural and Prescribed Burning.

b. Burning of empty sacks or containers which contained pesticides or other toxic substances is permitted on no-burn days providing the sacks or containers are within the definition in Rule 102 of Open Burning in Agricultural Operations.

c. A marginal burn day may be declared if meteorological conditions approach criteria for permissive burn days in the Air Resources Board's Smoke Management Guidelines for Agricultural and Prescribed Burning, and smoke impacts are not expected. On marginal burn days the Control Officer may authorize limited amounts of prescribed burning for individual projects when smoke impacts to smoke sensitive areas are not expected as a result of that burning. Agricultural and residential burning is prohibited on any day during which prescribed burning is authorized and on any marginal burn day.

d. Agricultural burning, including prescribed burning, is prohibited on no-burn days, except as specified in Section C.1 of this rule.

4. Daily Burn Authorization System

a. A burn authorization shall be requested and obtained from the Control Officer, on a daily basis, before any prescribed burning may commence. To request a burn authorization, a burn operator shall submit a District-approved smoke management plan.

b. Burn authorizations for prescribed burning shall be granted on a first come – first served basis. To avoid conflict in burn planning, the Control officer will authorize no more than one burn on the same day in the same general area. The Control Officer may immediately rescind a burn authorization if meteorological conditions change such that adverse air quality impacts are likely, or if burning by a fire protection agency to abate an imminent fire hazard is required suddenly and unexpectedly in the same area.

c. Smoke management plan conditions must be met at the time of burn ignition and must be expected to be met for the duration of the burn, regardless of the issuance of a burn authorization. The burn operator is responsible for ensuring that all conditions listed in the smoke management plan are met prior to ignition of the burn.

d. Multi-day burns shall require District authorization on a daily basis to continue with the burn.

e. Agricultural burning shall take place only on days permitted by public fire protection agencies having jurisdiction for purposes of fire control or prevention.

f. Waste materials to be burned in open fires in agricultural operations, including prescribed burning, shall be free of waste not conforming to the definition of "Open Burning in Agricultural Operations" in Rule 102. The following materials are not considered agricultural waste: tires, rubbish, tar paper, plastic, treated wood, construction/demolition debris, or material containing asbestos, weeds, shrubs and trees from non-productive areas such as along roads and around buildings, and waste foreign to land being cleared for agricultural use. Weeds, shrubs and trees in pastures or crop production areas or in fences which are around pastures or crop production areas or on land being cleared for the growing of crops or animals are considered to be agricultural waste.

g. Waste materials to be burned in agricultural operations, including prescribed burning, shall be ignited as rapidly as practicable within applicable fire control restrictions.

h. Waste materials to be burned in open fires in agricultural operations shall be arranged so as to burn with a minimum of smoke. Materials shall be loosely stacked to allow maximum drying in preparation for burning so as to provide good combustion. The materials shall be free of dirt and soil to the extent that such dirt or soil will not hinder burning nor be carried into the air as particulate matter, and shall be reasonably free of visible surface moisture.

i. Waste materials to be burned in open fires in agricultural operations shall have been dried for the minimum periods listed below. These periods include the period from drying or cutting to the day of burning.

   1) Six (6) weeks for trees and large branches;

   2) Three (3) weeks for prunings and small branches;

   3) Ten (10) days for wastes from field crops.

j. The Control Officer may restrict the amount of agricultural burning conducted on any day to selected sequentially numbered permits on specified days. The goal of this option is to ensure that a major portion of the total tonnage of agricultural waste is not ignited at one time during adverse conditions.

k. Agricultural burning may commence at any time after the announcement of a burn-day, but in no case shall it commence before sunrise. No additional waste material or ignition fuel shall be ignited or added to any fire after two hours before sunset. This subsection does not apply to prescribed burning.

l. The wind direction at the burning site shall be such that the smoke will not cause a public nuisance.

m. The materials to be burned shall be ignited only by use of ignition devices approved by the Control Officer. Tires, tar paper, plastic, dirty oils, and similar materials shall not be used.

D. Special Requirements - Prescribed Burning and Prescribed Fires in Wildland and Wildland/Urban Interface Area

1. The land manager shall submit a smoke management plan to the District for all burn projects. Smoke management plans must contain, at a minimum, the following information:

   a. Project name, location, size (acres), types, and amounts of material to be burned;

   b. Expected duration of the fire from ignition to extinction;

   c. Identification of responsible personnel, including telephone contacts; and

   d. Identification and location of all smoke sensitive areas;

   e. Particulate matter emissions and Environmental Protection-Agency approved calculation method;

   f. When a natural ignition occurs on a no-burn day, the fire may be managed as a prescribed fire if the Control Officer determines the following:

      i) For smoke management purposes, that the burn can be managed for resource benefit; or
      ii) For periods of less than 24 hours, a reasonable effort has been made to contact the District, or if the District is not available, the Air Resources Board;
      iii) After 24 hours, the District has been contacted, or if the District is not available, the Air Resources Board has been contacted and concurs that the burn can be managed for resource benefit.

      A "no-go" decision does not necessarily mean that the fire must be extinguished, but that the fire cannot be managed as a prescribed fire;

   g. Identification of vegetation conditions and burn limitations to minimize smoke, including requirements for materials to be piled, where possible;

   h. If applicable, California Department of Fish and Game statement certifying that the burn is desirable and proper;

   i. The burn project shall not occur unless all conditions and requirements stated in the Smoke Management Plan are met prior to ignition on the day of the burn event, the Air Resources Board and the District have both declared the day to be a burn day, and the Control Officer has authorized the burn on the day of the burn;

   j. Public notification procedures, including requirement for appropriate signage at burn sites, and for reporting of public smoke complaints; and

   k. Procedures for permittees to report public smoke complaints to the District.

2. For prescribed burn projects greater than 10 acres in size or estimated to produce more than 1 ton of particulate matter, the land manager shall submit a smoke management plan that contains at a minimum, the information contained in Section D.1 and the following additional information:

   a. A smoke management plan within 72 hours of the start of any naturally ignited wildland fire managed for resource benefits that is expected to exceed 10 acres in size;

b. Identification of method of ignition;

3. For prescribed burn projects greater than 100 acres in size or estimated to produce more than 10 tons of particulate matter, the land manager shall submit a smoke management plan that contains at a minimum, the information contained in Section D. 1 and D.2 and the following additional information:

   a. Identification of meteorological conditions necessary for burning;

   b. The smoke management criteria the land manager will use for making burn ignition decisions;

   c. Projections, including a map, of where the smoke from burns is expected to travel, both day and night;

   d. Specific contingency actions (such as fire suppression or containment) that will be taken if smoke impacts occur or meteorological conditions deviate from those specified in the smoke management plan;

   e. An evaluation of alternatives to burning considered; if an analysis of alternatives has been prepared as part of the environmental documentation required for the burn project pursuant to the National Environmental Policy Act (NEPA) or the California Environmental Quality Act (CEQA), as applicable, the analysis shall be attached to the smoke management plan in satisfaction of this requirement; and

4. If smoke may impact smoke sensitive areas, smoke management plans shall include appropriate monitoring, that may include visual monitoring, ambient particulate matter monitoring or other monitoring approved by the District, as required by the District for the following burn projects:

   a. Projects greater than 250 acres;

   b. Projects that will continue burning or producing smoke overnight;

   c. Projects conducted near smoke sensitive areas; or

   d. Where the Control Officer determines monitoring is necessary for public health and safety.

5. The land manager shall coordinate daily with the District or the Air Resources Board for multi-day burns that may impact smoke sensitive areas, to affirm that the burn project remains within the conditions specified in the smoke management plan, or whether contingency actions are necessary.

6. Alternate thresholds to those specified in Sections D.1, D.2, D.3, and D.4 may be specified by the District where the Control Officer determines such alternative thresholds are necessary to protect public health.

7. The land manager conducting a prescribed burn shall ensure that all conditions and requirements stated in the smoke management plan are met on the day of the burn event and prior to ignition.

8. The land manager shall submit a post-burn smoke management evaluation to the District for fires greater than 250 acres within 30 days of project completion. The evaluation shall address whether the smoke management plan objectives were met. The evaluation shall also address the following:

   a. What were the meteorological conditions (wind speed, direction, temperature, relative humidity (percent), prior to, during and following the burn?

b. Did the weather meet the prescription?

c. Were there smoke impacts? If so, where? How were the impacts monitored and documented?

d. Were there complaints related to smoke impacts from the burn? If so, list them. How were the complaints responded to and remedied?

e. What went wrong, if anything, with the weather or smoke? How can this be improved upon for future burns?

9. Vegetation to be burned shall be in a condition that will minimize the smoke emitted during combustion when feasible, considering fire safety and other factors.

10. Material to be burned shall be piled where possible, unless good silvicultural practices or ecological goals dictate otherwise.

11. Piled material to be burned shall be prepared so that it will burn with a minimum of smoke.

12. The permit applicant shall file with the District a statement from the Department of Fish and Game certifying that the burn is desirable and proper if the burn is to be done primarily for improvement of land for wildlife and game habitat. The Department of Fish and Game may specify the amount of brush treatment required, along with any other conditions it deems appropriate.

E. Enforcement Procedures

1. Designated fire protection agencies or the District shall enforce the provisions of this Rule by not allowing agricultural burning unless the person responsible for the burn has a valid agricultural burning permit.

2. Those fire protection agencies having the required authority shall issue a notice of violation or citation or shall order other corrective action when permit violation occurs.

3. Smoke complaints or other air pollution complaints not involving permit violations, or for any violation found by an agency not having authority to take enforcement action, shall be referred to the District for investigation

F. Meteorological Criteria for Regulating Agricultural and Prescribed Burning

The meteorological criteria for the South Central Coast Air Basin at Section 80210 of Title 17 of the California Code of Regulations, Subchapter 2, Smoke Management Guidelines for Agricultural and Prescribed Burning are incorporated herein by reference.

G. Compliance Date

The provisions of this Rule shall be effective on May 16, 2002.

RESOLUTION OF THE AIR POLLUTION

CONTROL DISTRICT BOARD OF THE COUNTY OF

SANTA BARBARA, STATE OF CALIFORNIA

In the Matter of	)	**APCD Resolution No.** *02-06*
	)	
Adopting Amended Rule 401	)	
	)	

RECITALS

1. The Air Pollution Control District Board of the County of Santa Barbara ("Board") is authorized to adopt, amend, or repeal rules and regulations pursuant to Health and Safety Code Section 40725 *et seq*.

2. Pursuant to Health and Safety Code 40001, the Board is required to adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards.

3. The Board has determined that a need exists to adopt amended Rule 401 (Agricultural and Prescribed Burning) to implement the requirements of Title 17 of the California Code of Regulations, Subchapter 2, Smoke Management Guidelines for Agricultural and Prescribed Burning.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1) This Board has held a hearing and accepted public comments in accordance with the requirements of Health and Safety Code section 40725 *et seq*.

2) The Board has reviewed the Negative Declaration set forth in Attachment 6 of the Board Package dated May 16, 2001 (herein after "Board Package"), and concludes that the proposed amendments to Rule 401 will not have a significant adverse effect on the environment.

4) The California Environmental Quality Act findings set forth in Attachment 1 of the Board Package are hereby adopted as findings of this Board pursuant to the California Environmental Quality Act and the California Environmental Quality Act guidelines.

5) The general rule findings set forth in Attachment 2 of the Board Letter are hereby adopted as findings of this Board pursuant to Health and Safety Code section 40727.

6) The responses to comments set forth in Attachment 4 of the Board Letter are hereby adopted as findings of this Board.

7) Rule 401 set forth in Attachment 5 of the Board Letter is hereby adopted as a rule of the Santa Barbara County Air Pollution Control District pursuant to Health and Safety Code Section 40725 *et seq.*

8) The Board authorizes the Control Officer to transmit the new rule to the State Air Resources Board in compliance with applicable state and federal law. Additionally, the Board authorizes the Control Officer to do any other acts necessary and proper to obtain necessary approvals of the amended rule by the California Air Resources Board and the United States Environmental Protection Agency.

PASSED AND ADOPTED by the Air Pollution Control District Board of the County of Santa Barbara, State of California, this 16th day of May 2002, by the following vote:

AYES: *Andrisek, Hicks, Marshall, Arca, Urbanske, Rose, Lavagnino, Weinberg, Brock, Hart, Schwartz*

NOES: *None*

ABSTAIN: *None*

ABSENT: *Gray, Holmdahl*

SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT

BOARD OF DIRECTORS

STATE OF CALIFORNIA

*****

MINUTE ORDER

May 16, 2002, in the p.m.

Present: Directors Russ Hicks, Richard Weinberg, Ed Andrisek, Sam Arca, Cynthia Brock, Gregg Hart, Susan Rose, Gail Marshall, Tom Urbanske, Larry Lavagnino, and Linda Beard, Clerk

Director Naomi Schwartz in the Chair

Consider recommendations regarding amendments to Santa Barbara County APCD Rule 401 – Agricultural and Prescribed Burning as follows:

a) Adopt a resolution amending APCD Rule 401 – Agricultural and Prescribed Burning, which includes adoption of:
   i) The California Environmental Quality Act (CEQA) findings pursuant to CEQA and the CEQA guidelines (Attachment 1);
   ii) The associated findings in support of the proposed Rule 401 pursuant to Health and Safety Code Section 40727 regarding necessity, authority, clarity, consistency, non-duplication and reference (Attachment 2);
   iii) Rule findings acknowledge public comment received on the proposed rule Attachment 3); and
   iv) The Response to Comments (Attachment 4) as findings of the Board; and

b) Adopt proposed amended Rule 401 (Attachment 5).

Lavagnino/Arca

Adopted a) and b).

APCD Resolution No. 02-06

Absent: Gray, Holmdahl

ATTEST:

DOUGLAS W. ALLARD
Clerk of the Board

By Linda Beard
Deputy

ATTEST:
DOUGLAS W. ALLARD
CLERK OF THE BOARD,

By Linda Beard
Deputy

Naomi Schwartz
Chair, Air Pollution Control
District Board of the County of
Santa Barbara

APPROVED AS TO FORM:

STEPHEN SHANE STARK
SANTA BARBARA COUNTY COUNSEL

By William M. Dillon
Deputy

Attorneys for the Santa Barbara
Air Pollution Control District