

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:15 Procedures and Requirements For District Smoke Management Program

Adopt 8/10/71, Amend (Renumbered to 3:15) 8/4/87, Repealed/Adopted 6/19/01

1 Daily Burn Authorization System For Agricultural Burning

1.1 In order to minimize smoke impacts on smoke sensitive areas, avoid cumulative smoke impacts, and prevent public nuisance, a daily burn authorization system regulating agricultural burning, including prescribed burning, shall be utilized by the District for:

1.1.1 All such burning projects comprised of more than 10 acres of land or estimated by the District to produce more than 1ton of particulate matter, and

1.1.2 Burning projects comprised of more than 10 acres of land or estimated by the District to produce 1 ton of particulate matter or less at the discretion of the District.

1.2 The District authorization to proceed with the burn will be given by 8:30 A.M . only on the day that the burn is to occur unless the applicant is conducting a prescribed burn and requests, in writing, a one day advance notice of burn authorization in order to mobilize resources for conducting the burn. Such advance authorization for the burn shall only be given by the District if the District determines through consultation with meteorological resources that weather conditions will remain favorable for the subject burn. If the advance authorization is not able to be given by the District on the day prior to the intended burn date due to meteorological resources being uncertain of favorable weather conditions for the subject burn, the applicant must contact the District on the day of the burn to receive authorization according to normal authorization procedures.

1.3 In considering the daily authorization of each agricultural burn project, the District shall only authorize those projects for which a burn permit has been issued and shall take into account the following factors in prioritizing the burns to be authorized for a particular day:

1.3.1 Type of material;

1.3.2 Amount of material;

1.3.3 Timing of each event;

1.3.4 Location of each event;

1.3.5 Existing and projected air quality;

1.3.6 Meteorological conditions expected during burning, including wind speeds and directions at the surface and aloft, and atmospheric stability;

1.3.7 Locations of smoke sensitive areas;

1.3.8 Smoke from all other burning activities, including burning in neighboring air districts or regions which may affect the District or region

1.3.9 Efforts taken by the applicant to minimize smoke through the use of pre-fire fuel treatment practices, removal of excess materials, and the extent of the use of non-burn alternatives.

1.3.10 Public benefit of the burn project, including, but not limited to, safety, public health, forest health, wildfire prevention, ecological needs, economic concerns, and disease and pest prevention.

2 Meteorological and Air Quality Monitoring Data To Be Used By The District In Determining Basinwide Conditions

2.1 The District shall utilize data obtained from the Sacramento Valley Basinwide Agricultural Burn Coordinator, the CARB Meteorology Section, Weather Network Incorporated, and the Interagency Fire Forecasting & Warning Unit (IFFWU) located in Redding to verify local and basin-wide meteorological conditions, as needed each day, to consider how forecasted conditions may affect authorizations for individual agricultural and prescribed burn projects.

- 2.2 The District shall utilize air quality monitoring data from ozone and PM₁₀ monitoring equipment located in Red Bluff in addition to other air quality monitoring data available from CARB to determine local and basinwide air quality conditions as they may affect authorizations for individual agricultural and prescribed burn projects.
- 3 Personnel Resources To Be Used By The District For Meteorological Support and Burn Coordination In Authorizing Agricultural and Prescribed Burn Projects
- 3.1 The District shall utilize personnel resources of CARB Meteorology Section, and the Interagency Fire Forecasting Weather Unit (IFFWU) located in Redding for meteorological support in considering if weather conditions are favorable for each individual burn project subject to the provisions of Section [1.1](#) of this rule.
- 3.2 Coordination in authorizing individual burns shall be accomplished by a District staff member that has received initial training by CARB and/or the U.S. Forest Service in Smoke Management and Meteorology and shall be through consultation with the Northeast Air Alliance, adjacent air district staff, CARB, the Sacramento Valley Basinwide Agricultural Burning Coordinator, and local fire prevention agencies.
- 4 Procedures For Issuing Notice of Permissive Burn, Marginal Burn, or No-Burn Days
- 4.1 Notice of permissive burn, marginal burn, or no-burn days shall be disseminated by the District or designated agency on the District Burn Day Information Recording each day by 8:30 AM . In order for any person or entity to conduct burning on a given day, the Burn Day Information Recording must be accessed by the burner to determine whether that particular day has been designated as a burn day, unless prior authorization has been given in accordance with Section [1.1](#) above. If a marginal burn day has been designated for a particular day, only those burn projects that the District has determined will not impact smoke sensitive areas and have been specifically authorized by the District for that particular day shall be allowed to burn. In making the determinations, the District will rely on information obtained from the CARB Meteorology Section and the Redding IFFWU. No project shall be allowed to burn on a no-burn day unless granted permission to burn under the provisions of District Rule 3:2 3.
- 4.2 In placing the burn day information on the Burn Day Information Recording, the District shall rely on the burn day determination for that particular day as made by the CARB Meteorology Section for all locations within Tehama County, unless the Air Pollution Control Officer has determined that the District must be more restrictive on a particular day and make that day a no-burn due to the air quality concerns.
- 4.3 A no-burn day notice shall be issued for agricultural burning, including prescribed burning, by the District when open burning is prohibited by fire protection agencies during red flag warnings (high fire danger) for fire control or prevention.
- 4.4 A no-burn day notice shall be issued by District staff regardless of the burn day determination made by the CARB Meteorology Section for all burning (including residential burning) if the District staff has predicted, using available air monitoring and meteorological data, that a violation of the federal ambient air standard for ozone is likely to occur on the day for which the notice is issued.
- 5 Procedures For Issuing 48-hour Forecasts, 72-hour Outlooks, and 96-hour Trends For Specific Prescribed Burns
- 5.1 Upon request from a permittee through a designated agency, and to the district, seven days in advance of a specific range improvement or forest management burn at any elevation , a forecast will be issued by CARB forty-eight (48) hours prior to the date scheduled for the burn. W ithout further request, a daily forecast will continue to be issued as long as requested.

- 5.2 A Permissive-Burn or No-Burn outlook will be available up to seventy-two (72) hours in advance of such burns.
 - 5.3 A Permissive-Burn or No-Burn trend will be available up to ninety-six (96) hours in advance of such burns.
- 6 Procedures For Acquiring Information On Material Burned On Each Day, On Planned Prescribed Burns and For Unplanned Wildland Fires To Establish Burn Authorization For The Following Day
- 6.1 To determine the amount of material burned each day, the District shall utilize the Prescribed Fire Incident Reporting System (PFIRS) as developed by CARB and fire protection agencies as well as information obtained from the Sacramento Valley Basinwide Agricultural Burning Coordinator. The District shall consider this information in burn authorizations made on the day following that in which the information was gathered.
 - 6.2 To provide information to the District on planned prescribed burns for a given day, any person or entity proposing to conduct a prescribed burn project must annually register such burns with the District by April 1 of each year for all burns anticipated for the same calendar year and must provide the District with updated information on the scheduling of the burn with a minimum of 7 days notice as the schedule becomes available in accordance with District Rule 3:12 [1](#). and [2](#). The District shall consider this information in burn authorizations made on the day following that in which the information was gathered.
 - 6.3 To provide information to the District on unplanned or naturally-ignited wildland fires occurring on a given day, any land manager or fire prevention agency having control over a wildland area for the purposes of resource management or fire control shall provide notice to the District within 4 hours of any wildland fire which exceeds 10 acres in size, a smoke management plan is required to be submitted by the land manager or the fire prevention agency to the District within 72 hours of the start of such a fire in accordance with District Rule 3:12 Section [7](#). The District shall consider this information in burn authorizations made on the day following that in which the information was gathered.
- 7 Procedures For Assessing Cross-Jurisdictional Smoke Impacts Through Coordination With Neighboring Air Districts, Regions, Or States
- 7.1 The District shall utilize a) fax notifications of smoke impacts between neighboring air districts, regions and states, b) the Prescribed Fire Incident Reporting System (PFIRS) as developed by CARB and fire protection agencies, and c) the information obtained from the Sacramento Valley Basinwide Agricultural Burning Coordinator to assess smoke impacts of material burned each day and consider this information in burn authorizations made on the following day that the information is gathered.
- 8 Procedures For Enforcement
- 8.1 The District shall utilize the established Mutual Settlement Policy in conjunction with potentially issuing Notices of Violations for referral to the District Attorney for any documented “significant” failure to implement a prescribed burning project in accordance with the prescription described in the burn plan submitted to the District for review and approval. For purposes of this section, the term “significant” shall mean a deviation from the allowed prescription which causes smoke impacts which become a public nuisance in populated or smoke sensitive areas.
 - 8.2 The District shall utilize the established Mutual Settlement Policy in conjunction with potentially issuing Notices of Violations for referral to the District Attorney for any violation of agricultural

regulations found in California Health & Safety Code Sections 41863 et. seq. and District Rules 3:1, 3:2, 3:4:, 3:5, 3:6, 3:7, 3:8, 3:9, 3:11, 3:12, 3:15, and 3:16.

9 Procedures To Be Used By The District In Prioritizing Agricultural Burn Authorizations

9.1 The District shall give first priority in authorizing burns in the following order to persons or entities conducting agricultural burn projects, including prescribed burning:

9.1.1 Range improvement or forest management burn projects for which it is determined that the denial of the authorization would threaten imminent and substantial economic loss if the applicant has not been able to burn because of no-burn day designations for two consecutive days prior to a request for burn authorization.

9.1.2 Any burn project which has submitted a smoke management plan to the District for review and the District has subsequently issued a burn permit acknowledging that actions have been taken to minimize smoke through the use of pre-fire fuel treatment practices, removal of excess material, or non-burn alternatives.

9.1.3 Any project which has a public benefit, including but not limited to, safety, public health, forest health, wildfire prevention, ecological needs, economic concerns, and disease and pest prevention.

9.1.4 Any project which has been issued a burn permit by the District if the District believes that the burn can be authorized without causing a public nuisance or causing a violation of any state or federal ambient air quality standard.

10 Fees

10.1 Smoke Management Plan Review - Forest Management, 30.00
Range Improvement, Wildland Vegetation

10.2 Burn Permit - Forest Management, Range Improvement, .50 per acre
Wildland Vegetation Management Burns

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:16 Penalties

Adopted 6/19/01

- 1 Any person who violates any portion of these rules is guilty of a misdemeanor. Every day during any portion of which such violation occurs constitutes a separate offense.
- 2 In addition to the penalties specified in (a) above, the cost of putting out any unauthorized open outdoor fires may be imposed on any person violating these rules.
- 3 The waste shall be free of tires, rubbish, tar paper or construction debris.
- 4 The waste shall be windrowed or piled, where possible, unless good silviculture practice dictates otherwise and shall be prepared in an attempt to minimize smoke and shall be reasonably free of dirt and soil.
- 5 The Air Pollution Control Officer may suspend or prevent burning operations when the prevailing winds are toward a nearby populated area.
- 6 Additional requirements and acreage or tonnage limitations may be imposed by the Air Pollution Control Officer to assure burning with a minimum of smoke and to maintain suitable air quality standards.

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