

REGULATION II

OPEN BURNING

REGULATION II - OPEN BURNING

RULE 200 EFFECTIVE DATE AND DEFINITIONS

- 1.0 Effective Date
- 2.0 Definitions

RULE 201 GENERAL PROHIBITIONS AND EXEMPTION STATUS FOR SELECTED OPEN BURNING

- 1.0 General Prohibitions
- 2.0 Exemptions to General Provisions
- 3.0 Required Burn Permits
- 4.0 Permissive and No-Burn Days
- 5.0 Exemptions to Permit Requirements

RULE 202 BURN HOURS AND NOTICE OF IGNITION

- 1.0 General Burn Hours and Notice of Ignition
- 2.0 Notice of Intent to Ignite
- 3.0 Notice of Escape Burn

RULE 203 GENERAL BURN PRACTICES, REQUIREMENTS AND CONDITIONS

- 1.0 Prohibition of Burn Barrel use and Drying Requirements
- 2.0 Arrangement of Burnable Waste
- 3.0 Drying Period
- 4.0 Wind Direction
- 5.0 Burning of Vines or Brushes Treated with Herbicides
- 6.0 Transportation of Burnable Materials

RULE 204 IGNITION DEVICES AND METHODS

- 1.0 Ignition Devices
- 2.0 Field Crop Ignition Methods

RULE 205 CERTIFICATES FROM DEPARTMENT OF FISH AND GAME

RULE 206 BURNING AND DISPOSAL SITES

- 1.0 Burn Plan
- 2.0 Acreage Limitation
- 3.0 Advance Permissive Burn Notice

RULE 207 WILD AND VEGETATION MANAGEMENT BURNING

- 1.0 Burn Plan
- 2.0 Acreage Limitation
- 3.0 Advance Permissive Burn Notice

RULE 208 BURN REGISTRATION PROGRAM

- 1.0 Burn Registration and Reporting
- 2.0 Burn Authorization System
- 3.0 Smoke Management Planning

Rule 200 Effective Date and Definitions

(Adopted July 18, 2003, Revised December 16, 2004, Revised May 15, 2008)

- 1.0 EFFECTIVE DATE:** Regulation II, including Rules 200, 201, 202, 203, 204, 205, 206, 207 and 208, shall become effective on January 1, 2004. On or before those dates set forth by law or otherwise required, the District shall prepare and submit those findings and reports as needed to ensure the continued effectiveness of this Regulation.
- 2.0 DEFINITIONS:** The following definitions shall apply to the rules in this Regulation.
- 2.1 Agricultural Burning:** Open outdoor fires used in agricultural operations, in the growing of crops or raising of fowl or animals, or open outdoor fires used in forest management, range improvement or the improvement of land for wildlife and game habitat, or disease or pest prevention.
- 2.2 Air Toxic:** Toxic air contaminants as defined in Section 39655(a) of the California Health and Safety Code.
- 2.3 Air Pollution Control Officer (APCO) Designee to Issue Coordinated Burn Authorization Permits:** A person designated by the APCO to work with the North Coast Unified Air Quality Management District to issue Coordinated Burn Authorization Permits. Such designees shall include authorized representative(s) of the Interagency Smoke Management Council when approved by the California Air Resources Board (CARB).
- 2.4 Approved Combustibles:** Dry natural vegetation waste originating on the premises and reasonably free of dirt, soil and visible surface moisture, and which is not otherwise prohibited by this Regulation or State Law. For the purposes of this Regulation, approved combustibles can be burned when authorized for burning pursuant to a valid Coordinated Burn Authorization Permit and when the burning of approved combustibles occurs in compliance with District Rules and Regulations. For the purposes of this Regulation, approved combustibles include untreated hand split rails burned as part of a valid agricultural burn.
- 2.5 Approved Ignition Devices:** Instruments or materials that will ignite open outdoor fires without the production of black smoke by the ignition device or materials used.
- 2.6 Treated Brush:** Vegetative material to be burned that has been felled, crushed or uprooted with mechanical equipment or has been desiccated with herbicides or is dead.
- 2.7 Burn Barrel:** A metal container approved for the use of holding approved combustible or flammable waste materials (dried vegetation, non glossy paper, and cardboard), so that they can be ignited outdoors for the purpose of disposal. All openings to the metal container must be screened with nonflammable material with holes not larger than ¼ inch.
- 2.8 California Air Resources Board (CARB):** The State of California agency established pursuant to Section 30510 of the California Health and Safety Code.

- 2.9 Census ZIP Code:** A ZIP code tabulation area, a statistical geographic entity that approximates the delivery area for a U.S. Postal Service five-digit ZIP code. Census ZIP codes are aggregations of census blocks that have the same predominate ZIP code associated with the mailing addresses in the U.S. Census Bureau's master address file. Census ZIP codes do not precisely depict ZIP code delivery areas, and do not include ZIP codes used for mail delivery. For the purposes of this Regulation, census ZIP codes are referenced to the most recent national decennial census completed by the U.S. Census Bureau.
- 2.10 Chief Fire Official:** The ranking officer in authority, having jurisdiction with the responsibility for fire protection within a defined geographic region of the North Coast Unified Air Quality Management District, or his/her designee. The chief fire official may be a federal, state, county or municipal employee, depending on the extent of the fire jurisdiction within the exemption area. In the state or federal responsibility areas for wild land protection, the state or federal official's determination overrides county and municipal authority with regard to issuance of Coordinated Burn Authorization Permits, conditions and designation of fire hazards.
- 2.11 Combustible:** Any substance capable of burning or any substance that will readily burn.
- 2.12 Construction-Demolition Debris** Any material associated with the construction or demolition of any building, dwelling or other manmade structures, including but not limited to lumber, tar paper, roofing material, wiring, flooring material, insulation and plywood.
- 2.13 Coordinated Burn Authorization Permit (CBA Permit):** A permit to burn issued pursuant to Rule 201, Section 3, and authorizing specified burning as set forth in the permit, and which includes an updated annual bar-coded validation.
- 2.14 Designated Agency:** Any agency designated by the California Air Resources Board as having authority to issue agricultural burning, including prescribed burning permits. The North Coast Unified Air Quality Management District, US Department of Agricultural Forest Service, and the California Department of Forestry and Fire Protection are so designated within their jurisdictions of the North Coast Unified Air Quality Management District.
- 2.15 Designated No-Burn Day:** Any day or portion thereof on which agricultural burning, including prescribed burning, is prohibited by the California Air Resources Board or by the Air Pollution Control Officer of the North Coast Unified Air Quality Management District.
- 2.16 Designated Permissive Burn Day:** Any day, or portion thereof, meeting the requirements of Rule 201 of these Rules and Regulations. For the purposes of determining daily burn day status, the Air Pollution Control Officer shall utilize Designated Smoke Management Areas, shall consider local meteorological and air quality related factors, and shall be guided by the CARB daily determinations.
- 2.17 Designated Smoke Management Areas:** Any of three (3) approved burn day Smoke Management Areas within the North Coast Unified Air Quality Management District, including:

- 2.17.1 Coastal Smoke Management Area** including all lands within the boundary specified as the Humboldt Bay Air Basin (Appendix A), and all lands less than 2,000 feet mean sea level within the jurisdiction of the North Coast Unified Air Quality Management District north of Cape Mendocino and within five (5) statute air miles shoreward from the Pacific Ocean Coast and identified by the Air Pollution Control Officer.
- 2.17.2 Lower Inland Smoke Management Area** including all lands within the North Coast Unified Air Quality Management District below 2,000 feet mean sea level, excluding those lands within the Coastal Smoke Management Area and identified by the Air Pollution Control Officer.
- 2.17.3 Upper Inland Smoke Management Area** including all lands within the North Coast Unified Air Quality Management District above 2,000 feet mean sea level, excluding those lands within the Coastal Smoke Management Area and identified by the Air Pollution Control Officer.
- 2.18 District:** The Air Quality Management District having jurisdiction in the area of the proposed burning.
- 2.19 Economic Hardship:** Possessing an annual income below the poverty level, as defined by the Bureau of Census, US Department of Commerce, or as defined in Section 39026.5 of the California Health and Safety Code.
- 2.20 Field Crop Waste:** Vegetative crop residue remaining in the field after the harvest of crops including, but not limited to: wheat, corn, barley, safflower, grasses and flowering plants.
- 2.21 Fire Hazard:** Either an imminent fire hazard or a potential fire hazard, as follows:
- 2.21.1 An imminent fire hazard** is a hazard which presents imminent danger to the health and/or safety of a person or persons and which becomes necessary for direct prevention of fire, and because of its imminency, cannot immediately be abated by any other means. {H&S 41801 (a)}.
- 2.21.2 AA potential fire hazard** is described as one which could in reasonable time present a hazard to the health and/or safety of a person or persons, but which does not impose imminent fire danger, and which cannot be abated by other means.
- 2.22 Forest Management Burning:** The use of open fires, as part as a forest management practice to remove forest debris or for forest management practices which include timber operations, agriculture practices or forest protection practices.
- 2.22.1** Forest debris shall cease to be classified as agricultural waste once it has been removed from its original forest location, to its initial processing plant; or is removed to a storage area which is not contiguous with the forested area
- 2.22.2** Forest debris created from culling or salvaging operations within the forested area

may be classified as agricultural waste if operations result in a net reduction in total forest debris to be burned.

- 2.23 Incinerator:** Any device constructed of nonflammable materials, including metal containers commonly known as burn barrels for the purpose of burning dried vegetation, non-glossy paper and cardboard on residential properties. This does not include AQMD permitted commercial multi-chambered incinerators containing primary and secondary burners.
- 2.24 Interagency Smoke Management Council:** A council composed of specified members to include: one representative from each of the interested local, state and federal fire protection agencies within the North Coast Unified Air Quality Management District (including the California Department of Forestry and Fire Protection); one representative each from the Forest Service, the Park Service, and the Bureau of Land Management Service; representatives from industries from the North Coast Fuels Management Cooperative; and staff which may be assigned by the Air Pollution Control Officer for the purpose of assisting in the issuance of Coordinated Burn Authorization Permits, assisting in determining Permissive Burn Day(s) in coordination with CARB and assisting in monitoring burn activity within the North Coast Unified Air Quality Management District.
- 2.25 Minimum Fire Safety Requirements:** Fire safety requirements for residential open burning which may minimize escape burn and smoke impacts, including but not limited to: maintenance of a 10 foot clearance area around the burn, requirement that all burning be conducted by a person at least 18 years of age who shall remain within line of eyesight of the burn, prohibition against burning when the wind exceeds 20 mph, presence of adequate extinguishing materials and equipment during burning activities, and maintenance of a controllable size burn to prevent escape.
- 2.26 Natural Vegetation:** All plants, including but not limited to grasses, trees, shrubs, bushes, canes, leaves, flowers or vines that grow in the wild or under cultivation. Natural vegetation excludes vegetation that have been processed, treated, or preserved with chemicals for subsequent human or animal use, including but not limited to chemically-treated timber, wood products or paper products.
- 2.27 Non-approved Combustibles:** Non-approved combustibles are materials that are illegal to be burned, unless otherwise specifically provided for in this Regulation. Such materials shall include, but are not necessarily limited to: construction and demolition debris, petroleum products, petroleum waste, coated wire, putrescent waste, tires, tar, tar paper, non-natural wood waste, processed or treated wood and wood products, metals, motor vehicle bodies and parts, rubber, synthetics, plastic, including plastic film, twine and pipe, fiberglass, Styrofoam, garbage, trash, refuse, rubbish, disposable diapers, ashes, glass, industrial waste, manufactured products, equipment, instruments, utensils, appliances, furniture, cloth, rags, paper or paper products, cardboard, boxes, crates, excelsior, offal, swill, carcass of dead animals, manure, human or animal parts or waste (including blood and fecal material and food contaminated material), asbestos shingles, floor tiles, and other similar smoke producing materials. Unless otherwise specifically authorized by the APCO, prohibited materials shall also include poison oak near any residence. For the purposes of this Regulation, dry, natural vegetation from yard maintenance is not prohibited burn material if reasonably free from dirt, soil and surface moisture.

- 2.28 Non-residential Waste Burning:** The disposal of natural vegetation from any dwelling unit or residence which is not a single or two family dwelling unit or residence, or burning of natural vegetation by a commercial business or entity for the purpose of fire hazard reduction or land clearing development; and which is not agricultural improvement burning, range improvement management burning, wild land vegetation burning, or a cooking, recreational, or ceremonial fire.. Non- residential waste burning may include the disposal of prohibited materials only to remove an imminent fire hazard and only with the direction of a fire official and approval of the APCO.
- 2.29 North Coast Air Basin:** That area comprising the North Coast Unified Air Quality Management District, the Mendocino County Air Quality Management District and the Northern Sonoma County Air Pollution Control District.
- 2.30 North Coast Fuels Management Cooperative:** A Council including private timberland owners, private timberland managers, and the California Department of Forestry and Fire Protection, Humboldt-Del Norte Ranger Unit, created by agreement to coordinate weather data gathering and burning activities in order to reduce the potential for adverse affects from smoke within the Humboldt Bay Air Basin and the adjacent areas.
- 2.31 North Coast Unified Air Quality Management District (AQMD):** The local air quality management district established pursuant to California Health and Safety Code Sections 40000 through 40150 et seq., and the jurisdiction of the District including the entire geographic jurisdiction of Humboldt County, Del Norte County and Trinity County.
- 2.32 Open Outdoor Fire:** Any combustion of combustible material(s) of any type, outdoors where the products of combustion are not directed through a flue.
- 2.33 Prescribed Burning:** The planned application of fire to vegetation on lands selected in advance of such application, where any of the purposes of the burning are specified in the definition of agricultural burning.
- 2.34 Processed or Treated Wood and Wood Products:** Wood that has been chemically treated to retard rot or decay, or wood that has been modified with glues, laminates, stains, finishes, paints or glosses for use in furniture or for construction purposes, including but not limited to plywood, particle board, fencing or railroad ties. For the purpose of this regulation, dimensional lumber that has been air-dried or kiln dried and which is proven or documented to contain no preservatives, insecticides, lacquers, pesticides, fungicides, creosote, rot or decay retardants, sealants, finishes, or any man made chemicals added, is not considered processed or treated wood.
- 2.35 Prohibited Ignition Devices:** Include but are not limited to: tires, tar, tar paper, oil and other high smoke-producing material(s).
- 2.36 Range Improvement Burning:** The use of open fires to remove vegetation for a wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated land; or reestablishment of an agricultural practice on land inundated by flood deposited debris.

- 2.37 Residence:** A single or two family dwelling and the land and ancillary structures surrounding it.
- 2.38 Residential Waste Burning:** The disposal of the combustible or flammable waste from a single or two family dwelling unit or residence by burning outdoors. Residential waste burning is not prescribed burning or other agricultural burning.
- 2.39 Single and Two Family Dwelling:** A permanent or temporary building or structure and the area immediately adjacent to the residence, used as a one or two family residence, including pre-fabricated structure(s), mobile home(s) and house trailer(s).
- 2.40 Silviculture:** The establishment, development, care and reproduction of stands of timber.
- 2.41 Sunset:** The event or time of the daily disappearance of the sun below the western horizon.
- 2.42 Timber Operations:** Cutting or removal of timber or other forest vegetation.
- 2.43 Treated Brush:** Vegetative material to be burned that has been felled, cut, uprooted or crushed by manual or mechanical equipment or has been desiccated with herbicides or is dead.
- 2.44 Waste:** All discarded putrescent and non-putrescent solid, semisolid and liquid materials, including but not limited to: petroleum products, metals, motor vehicle bodies and parts, rubber, synthetics; plastic including plastic film, twine and pipe; fiberglass, Styrofoam, garbage, trash, refuse, rubbish, disposable diapers, ashes, glass, industrial wastes, manufactured products, equipment, instruments, utensils, appliances, furniture, cloth, rags, paper or paper products, cardboard, boxes, crates, excelsior, offal, swill, carcass of dead animals, manure, human or animal parts (including blood, fecal material and food containing material, asbestos shingles, floor tiles and other similar smoke producing materials.
- 2.45 Wildland Vegetation Management Burning:** The use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominantly covered with chaparral, trees, grass, or standing brush.
- 2.46 Local Responsibility Area (LRA):** That area where the local department is responsible for wild land fire protection. This includes incorporated cities and unincorporated areas that are not State Responsibility Areas.
- 2.47 State Responsibility Area (SRA):** That area as defined in Public Resources Code Section 4126 and classified by the Board of Forestry and Fire Protection where the State is responsible for wild land fire protection. This excludes incorporated cities and lands owned or controlled by the federal government or other federal agencies.

Rule 201 General Prohibitions and Exemptions for Selected Open Burning
(Adopted and re-codified July 18, 2003; Revised December 16, 2004; Revised May 17th 2007)

RULE 201 CONTENTS

- 1.0 GENERAL PROHIBITIONS
- 2.0 EXEMPTIONS TO GENERAL PROHIBITIONS
 - 2.1 Single and Two-Family Dwelling Exemption
 - 2.2 Agricultural Burning Exemption
 - 2.3 Right-of-Way, Levee, Reservoir and Ditch Clearing Exemption
 - 2.4 Land Clearing and Fire Hazard Reduction Exemption
 - 2.5 Public Officer Exemption
 - 2.6 Employee Instruction
 - 2.7 Back Fires to Protect Life and Property
 - 2.8 Wild land Vegetation Management Burning
 - 2.9 Multi-Unit Dwellings and Commercial Entities
 - 2.10 Residential Cooking and Recreational Fires
- 3.0 REQUIRED BURN PERMITS
 - 3.1 Required Permits
 - 3.2 Required Conduct
 - 3.3 Parent or Guardian Liability
 - 3.4 Strict Liability
 - 3.5 Required Burn Permit Information
 - 3.6 Designated Smoke Management Area(s)
- 4.0 PERMISSIVE AND NO-BURN DAYS
 - 4.1 Permit Invalidation on No-Burn Days
 - 4.2 Fire Prevention No-Burn Day Designations
 - 4.3 Restriction of Burning During Poor Air Quality Conditions
 - 4.4 Permit to Burn on a No-Burn Day
- 5.0 EXEMPTIONS TO PERMIT REQUIREMENTS
 - 5.1 Residential Cooking and Recreational Fires

**RULE 201:
GENERAL PROHIBITIONS AND EXEMPTIONS FOR SELECTED OPEN BURNING**

1.0 GENERAL PROHIBITIONS.

- 1.1** Except as provided in these Rules and Regulations, no person shall use open outdoor fires for the purpose of disposal of any waste, including but not limited to natural vegetation, and non-approved combustibles. For purposes of this Section, a person shall be deemed to have permitted the setting or use of such fires if the person permits the setting or use of such fires for the disposal of such wastes under the person's control, on land owned by the person, under the person's control, by the person's agent(s), or by employees or other persons under the person's control.
- 1.2** No person shall dispose of approved combustibles from any property by burning them in a burn barrel or incinerator outdoors, except as specifically authorized pursuant to Rule 203.
- 1.3** No person shall ignite or allow to become ignited approved combustibles unless using an approved ignition device.
- 1.4** No person shall ignite or allow to become ignited approved combustibles unless it is a Permissive or Marginal Burn Day in the designated smoke management area where the residential waste burning is to take place.

2.0 EXEMPTIONS TO GENERAL PROHIBITIONS.

- 2.1 Single- and Two-Family Dwelling Exemption.** Burning for the disposal of approved combustibles of a single- or two-family dwelling on its premises, when such burning is performed pursuant to a valid Coordinated Burn Authorization Permit on a Permissive or Marginal Burn Day.
- 2.2 Agricultural Burning Exemption.** Burning for the disposal of agricultural waste as defined in Rule 200, section 2.1.
- 2.3 Right-of-Way, Levee, Reservoir and Ditch Clearing Exemption.** Burning by a public entity or utility for the right-of-way clearing or other property access, or for levee, reservoir and ditch or drainage maintenance. No material may be burned pursuant to this Section unless:
 - 2.3.1** The burning is done on a Permissive or Marginal Burn Day;
 - 2.3.2** The material to be burned has been arranged so that it will ignite as rapidly as practicable within applicable fire control restrictions and burn with a minimum of smoke;
 - 2.3.3** Burning by a public entity or utility for right-of-way clearing or other property access, or for levee, reservoir and ditch or drainage maintenance where the vegetation is cut, uprooted or treated, and allowed to dry, in the same manner as specified in Rule 203, Section 3 "Drying Periods," and Section 5 "Burning of Vines or Bushes Treated with Herbicides," provided, however, that material growing in or

on ditches, ditch banks and drainage areas may be burned in place without being cut, uprooted or treated; and,

- 2.3.4** Performed pursuant to a valid Coordinated Burn Authorization Permit.
- 2.4 Land Clearing and Fire Hazard Reduction Exemption.** Burning of wood waste from trees, vines or bushes on property being developed for commercial or residential purposes, or when the cuttings resulted from brush clearance done in compliance with local ordinances to reduce fire hazard may be disposed of by open outdoor fires on the property where it was grown, when authorized by the local fire protection agency having jurisdiction over the respective burn site, and when performed with a valid Coordinated Burn Authorization Permit. No material may be burned pursuant to this Section unless:
- 2.4.1** The burning is done on a Permissive Burn Day;
- 2.4.2** The material to be burned has been arranged so that it will ignite as rapidly as practicable within applicable fire control restrictions and burn with a minimum of smoke;
- 2.4.3** Where the vegetation is cut, uprooted or treated, and allowed to dry, in the same manner as specified in Rule 203, Section 3 “Drying Periods,” and Section 5 “Burning of Vines or Bushes Treated with Herbicides;” and,
- 2.4.4** Performed pursuant to a valid Coordinated Burn Authorization Permit.
- 2.5 Public Officer Exemption.** Burning operations conducted by or permitted by any public officer if such fire is set or permission given in the performance of the official duty of such officer, and such fire in the opinion of an officer is necessary and, when performed with a valid Coordinated Burn Authorization Permit will inhibit the emergency burning:
- 2.5.1** For the purpose of the prevention of a fire hazard which cannot be abated by any other means; or
- 2.5.2** For the instruction of public employees in the methods of fire fighting; or
- 2.5.3** For the purpose of disease or pest control and prevention.
- 2.6 Employee Instruction.** Burning operations on property for the purposes of instruction of employees in methods of fire fighting, when performed pursuant to a valid Coordinated Burn Authorization Permit.
- 2.7 Back Fires to Protect Life and Property.** Burning operations conducted pursuant to Section 4426 of the Public Resources Code as back fires necessary to save life or valuable property.
- 2.8 Wild land Vegetation Management Burning.** Burning operations conducted for the purpose of wild land vegetation management burning pursuant to Rule 207, and as defined in Rule 201, section 2.41 of these Rules and Regulations, and when performed with a valid Coordinated Burn Authorization Permit.
- 2.9 Multi-Unit Dwellings and Commercial Entities.** At multi-unit dwellings and commercial entities, burning for the purpose of fire hazard reduction when done for the purpose of compliance with local fire hazard reduction ordinances. No material may be burned pursuant to this Section unless:

- 2.9.1 The burning is done on a Permissive Burn Day;
 - 2.9.2 The material to be burned has been arranged so that it will ignite as rapidly as practicable within applicable fire control restrictions and burn with a minimum of smoke;
 - 2.9.3 Where the vegetation is cut, uprooted or treated, and allowed to dry, in the same manner as specified in Rule 203, Section 3 “Drying Periods,” and Section 5 “Burning of Vines or Bushes Treated with Herbicides;” and,
 - 2.9.4 Performed pursuant to a valid Coordinated Burn Authorization Permit.
- 2.10 **Residential Cooking and Recreational Fires.** Open outdoor fires used for cooking food for human beings or for recreational purposes such as bonfires, campfires, and warming fires. Recreational fires are fires used for recreational purposes where the fire is less than 3 feet in diameter, and which are in compliance with all minimal fire safety requirements as set out in Rule 200, 2.23.
- 2.11 **Ceremonial Fires.** Open outdoor fires used for religious or ceremonial purposes which are in compliance with all minimal safety requirements as set out in Rule 200, 2.23

3.0 REQUIRED COORDINATED BURN AUTHORIZATION BURN PERMITS

- 3.1 **Required Coordinated Burn Authorization Permit (CBA Permit).** No person shall ignite any open fire, conduct, perform or participate in any open burning activity, or allow the open burning activity on any property under the person’s ownership, control or possession without first obtaining a valid Coordinated Burn Authorization Permit, issued by the Air Pollution Control Officer or the Air Pollution Control Officer’s designee pursuant to State law. The Air Pollution Control Officer may designate specified designees to issue Coordinated Burn Authorization Permits and may utilize fire agency burn permits which meet the following criteria:

Each Coordinated Burn Authorization Permit must include, but is not limited to:

- 3.1.1 Identification of a responsible party during the burn activity;
- 3.1.2 Identification of Burn Zone in which the permitted burning is authorized;
- 3.1.3 Identification of the fire district jurisdiction in which the permitted burning is authorized;
- 3.1.4 Identification of the type of burning and what is to be burned;
- 3.1.5 A prohibition against burning of prohibited burn materials as defined in Section 2.33 of this Regulation;
- 3.1.6 Acknowledgement by written signature of the responsible party that the Authorized Permittee understands the prohibition against burning of prohibited materials, the requirement for burning only on Permissive or Marginal Burn Days, and other conditions set out in the Coordinated Burn Authorization Permit;
- 3.1.7 A prohibition against burning on No-Burn Days;
- 3.1.8 Identification of authorized burn hours during which burning is allowed and outside of which burning is prohibited;
- 3.1.9 Identifies minimum fire safety requirements necessary to minimize the potential for escape burns;

- 3.1.10** Includes an updated annual burn permit certification issued by the Air Pollution Control Officer;
- 3.1.11** Incorporates any additional conditions the local, State and federal fire protection agency fire official having jurisdiction over the burn site specifies, including the requirement for local fire protection agency on-site inspection and approval when required by the local fire protection agency fire chief; and,
- 3.1.12** A statement that open and residential burning may release toxic air contaminants and increase risk of adverse health effects.
- 3.2** **Required Conduct.** Any open burning which is not in full and complete compliance with the provisions of these Rules and Regulations is in violation of these Rules and Regulations.
- 3.3** **Parent or Guardian Liability.** The parent or legal guardian of any minor violating these Rules and Regulations is strictly liable for the minor's conduct and violation.
- 3.4** **Strict Liability.** Any person in possession of property or who exercises possessor rights on the property on which any open burning is performed in violation of these Rules and Regulations is strictly liable for any violation of these open burning Rules and Regulations. A contractor or agent acting on behalf of the person in possession of the property is independently and strictly liable for any violation.
- 3.5** **Required Burn Permit Information.** Each applicant for a burn permit shall provide such information as required by the designated fire protection agency for fire protection purposes and such additional information as may be required by the Air Pollution Control Officer. No permit may be issued without the required information.
- 3.6** **Designated Smoke Management Area.** The North Coast Unified Air Quality Management District has established three (3) Designated Smoke Management Areas as defined in Rule 200, Section 2.16 consisting of:
- 3.6.1** Coastal Smoke Management Area;
- 3.6.2** Lower Inland Zone Smoke Management Area; and
- 3.6.3** Upper Inland Zone Smoke Management Area.

The Air Pollution Control Officer, or his designee, as guided by the California Air Resources Board, shall provide Permissive Burn Day or No-Burn Day daily determinations for each of the Designated Smoke Management Areas.

4.0 PERMISSIVE AND NO-BURN DAYS

- 4.1** **Permit Invalidation on No-Burn Days.** Coordinated Burn Authorization Permits are not valid on designated No-Burn Day. Any person, his/her employees or any other persons under his/her control shall not set or permit burning on a No Burn Day unless otherwise approved by the APCO.

- 4.2 Fire Prevention No-Burn Day Designations.** No Coordinated Burn Authorization burning permit is valid for any day on which burning is prohibited, by any local, State or federal fire protection agency having jurisdiction over the site of the burn. For burn barrels, a No-Burn Day shall also include any day or period of time that the chief fire official having jurisdiction over the site of the burn has issued a written determination that the use of a burn barrel may create or contribute to an unacceptable fire risk.
- 4.3 Restriction of Burning during Poor Air Quality Conditions.** Notwithstanding the issuance of a Coordinated Burn Authorization Permit and designation of a Permissive Burn Day, the Air Pollution Control Officer may restrict burning on a Permissive Burn Day if such burning could cause or contribute to potential adverse air quality conditions. No burning shall be conducted if meteorological conditions would cause an undue amount of emissions to be transported into populated or sensitive receptor areas. No burning shall be conducted when such burns, in conjunction with present or predicted meteorology, could cause or contribute to a violation of any federal or state Ambient Air Quality Standard. In no event shall a public nuisance be permitted to exist by the Air Pollution Control Officer or by the permittee.
- 4.4 Permit to Burn on a No-Burn Day.** Notwithstanding any other provision of this Regulation, the Air Pollution Control Officer may, by special condition for one day only, authorize agricultural burning on days designated by the CARB as No-Burn Days when denial of such permit would threaten imminent and substantial economic loss. The granting of such a special condition for one day only does not exempt the applicant from any other District or local, state or federal fire protection agency regulation(s). Each applicant requesting authorization to burn on a day designated by the CARB as a No-Burn Day, shall obtain an approved No Burn Day Permit prior to any and all burning. Approval or denial will be based upon the written justification to the Air Pollution Control Officer as to why denial of such permit would threaten imminent and substantial economic loss.

5.0 EXEMPTIONS TO PERMIT REQUIREMENTS

- 5.1 Residential Cooking and Recreational Fires.** Coordinated Burn Authorization Permits are not required for burning conducted for open outdoor fires used *only* for cooking food for human beings or for recreational purposes such as warming fires, campfires and bonfires.
- 5.2 Ceremonial or Religious Fires.** Coordinated Burn Authorization Permits are not required for open outdoor fires conducted for religious ceremonial purposes.

Rule 202 Burn Hours and Notice of Ignition

(Adopted July 18, 2003; Revised December 16, 2004, Revised May 15, 2008)

RULE 202 CONTENTS

- 1.0 GENERAL BURN HOURS AND NOTICE OF IGNITION
 - 1.1 Forest Management & WildLand Vegetation Management
 - 1.2 Field Crop Waste & Agricultural Burning
 - 1.3 Non-Agricultural and Residential Wastes
 - 1.4 Exception to Burn Hours
 - 1.5 Residential Wastes in Humboldt and Del Norte County

- 2.0 NOTICE OF INTENT TO IGNITE

- 3.0 NOTICE OF ESCAPE BURN

1.0 GENERAL BURN HOURS AND NOTICE OF IGNITION. Every Coordinated Burn Authorization Permit shall specify the burning hours for ignition of fires, and no person shall burn, allow any burning or knowingly ignite any waste otherwise authorized pursuant to this Regulation, or permit the ignition of such waste under the person's ownership, control, on land under the person's control or by the person's employees or agent(s) or other persons under the person's control, except during these hours.

1.1 Forest Management and Wildland Vegetation Management. Unless otherwise specifically authorized, no ignition of Forest Management or Wild land Vegetation Management fuels shall commence before 8:00A.M., and shall not continue after one (1) hour before sunset in any one (1) day, unless such burning is performed with a valid Coordinated Burn Authorization Permit and approved Smoke Management Plan. A Burn Authorization Number must be obtained daily from the AQMD prior to burning. Trees, stumps and branches greater than six (6) inches in diameter may be ignited even though they cannot reasonably be expected to completely burn within such period. Notwithstanding any burn authorization permit issued, burning of vegetation greater than six (6) inches in diameter beyond the designated burn hours does not relieve the permittee from smoke impact liability or nuisance liability.

1.2 Field Crop Waste: Unless otherwise specifically authorized, no burning of field crop waste shall commence before 10:00 A.M. and shall not continue after 5:00 p.m. of any one (1) day. All burn projects must obtain daily a Burn Authorization Number from the AQMD prior to burning.

1.3 Non-Agricultural and Residential Wastes: No Non-Agricultural, commercial, property development, or large pile (greater than 4 feet by 4 feet), burning on residential properties shall commence before 7:45 a.m. and shall not continue after one (1) hour before sunset in any one (1) day.

1.4 Residential Wastes in Humboldt and Del Norte County. No residential burning shall commence before 6:00 a.m. and shall not continue after 12:00 Noon in Humboldt and Del Norte County.

1.5 Residential Wastes in Trinity County. No residential burning shall commence before 6:00 a.m. and shall not continue after one (1) hour before sunset during the period from the end of the declared fire season until May 1st of each year. Beginning May 1st of each year and continuing through the end of the declared fire season, all residential burning shall be confined to permissive burn days and to the hours of 6:00 a.m. until 12:00 Noon.

1.6 Exceptions to Burn Hours: Notwithstanding Sections 1.1, 1.2 and 1.3 of this Rule, the Air Pollution Control Officer may approve on a case by case basis, burning during other hours to address a known or suspected emergency and where significant economic loss either will occur or is imminent, or where the chief fire official requests authorization to burn during other hours for the purpose of reducing fire risk and where such exceptions are consistent with protecting air quality.

2.0 NOTICE OF INTENT TO IGNITE

2.1 Prior to ignition of waste pursuant to a Coordinated Burn Authorization Permit issued in accordance with these Rules, the permittees performing nonresidential burning shall give notice of intent to ignite to the District no sooner than 48 hours before any ignition.

2.2 Notwithstanding Section 2.1 of this Rule, when exempted in writing in the consolidated burn authorization permit and approved by the APCO, notice of intent to ignite for burning is not required for any contiguous burning site of less than one (1) acre.

3.0 NOTICE OF ESCAPE BURN

3.1 It is a violation of these Rules and Regulations to allow significant amounts of fuel to be consumed outside of the proposed burn area. Areas that are outside of the proposed burn area and that are greater than $\frac{1}{4}$ acre in size are assumed to add a significant amount of fuel to the ignition that is permitted on the Coordinated Burn Authorization Permit.

3.2 If, through act of intent, negligence or nature, any burn escapes beyond $\frac{1}{4}$ acre in size, the responsible party shall immediately notify the local, State or federal fire protection agency having jurisdiction over the burn. The responsible party shall notify the District within one hour following control of the escape or by the next business day, whichever is sooner.

Rule 203 General Burn Practices, Requirements and Conditions

(Adopted July 18, 2003; Revised May 15, 2008)

RULE 203 CONTENTS

- 1.0 PROHIBITION OF BURN BARREL USE AND DRYING REQUIREMENTS
- 2.0 ARRANGEMENT OF BURNABLE WASTE
 - 2.1 Smoke Minimization
 - 2.2 Designated Burn Period
- 3.0 DRYING PERIOD
- 4.0 WIND DIRECTION
- 5.0 BURNING OF VINES OR BUSHES TREATED WITH HERBICIDES
- 6.0 TRANSPORTATION OF BURNABLE MATERIALS

RULE 203: GENERAL BURN PRACTICES, REQUIREMENTS AND CONDITIONS

1.0 PROHIBITION OF BURN BARREL USE AND DRYING REQUIREMENTS.

- 1.1 All wastes to be burned shall be free of prohibited burn materials and all other wastes prohibited by this Regulation or disallowed by the APCO, and shall be reasonably free of dirt, soil, visible surface moisture and moisture content so as to minimize smoke.
- 1.2 Except as otherwise specifically authorized by this Regulation, the use of *any* type of burn barrel, incinerator, or similar device is prohibited during the ignition of any waste and the use for any burning activity, except as specifically authorized in Section 1.3.
- 1.3 Notwithstanding Section 1 above, until December 31, 2013, dry non-glossy paper and cardboard and natural vegetation may be burned in a burn barrel at single or two family residences within any unincorporated area within the North Coast Unified Air Quality Management District (Humboldt, Del Norte, and Trinity Counties), which is outside the following designated areas:

- 1.3.1 Burn Barrel Use Permitted in those areas not included within
The following Designated Areas:

Arcata Fire Protection District
Blue Lake Fire Protection District
Carlotta Community Services District
City of Eureka
City of Trinidad
County Service Area #4 District
Crescent City West of Six Rivers NF and North of

T15N
Ferndale Fire Protection District
Fieldbrook Community Services District
Fortuna Fire Protection District
Garberville Fire Protection District
Hoopa
Humboldt #1 Fire Protection District
Kneeland Fire Protection District
Loleta Fire Protection District
Miranda Fire Protection District
Myers Flat Fire Protection District
Orick Community Services District
Phillipsville Community Services District
Redway Fire Protection District
Rio Dell Fire Protection District
Rio Dell Fire Protection District SOI NORTH
Rio Dell Fire Protection District SOI SOUTH
Samoa Peninsula Fire Protection District
Scotia Volunteer Fire
Smith River West of Six Rivers NF and North of T15N
Weaverville Fire District
Weott Community Services District
Westhaven Community Service District
Willow Creek Fire Protection District
ZIP Code 95521, Arcata
ZIP Code 95524, Bayside
ZIP Code 95503, Eureka
ZIP Code 95540, Fortuna
ZIP Code 95546, Hoopa
ZIP Code 95547, Hydesville
ZIP Code 95548, Klamath
ZIP Code 96052, Lewiston
ZIP Code 95551, Loleta
ZIP Code 95519, McKinleyville
ZIP Code 95553, Miranda
ZIP Code 95554, Myers Flat
ZIP Code 95560, Redway
ZIP Code 95563, Salyer
ZIP Code 95565, Scotia
ZIP Code 96093, Weaverville
ZIP Code 95573, Willow Creek

Notes: ¹ As shown in Figures 1 to 5, ² ZIP Code refers to US Census ZIP Code Tabulation Areas

1.3.2 Approved burn barrel zones by map depictions. The following maps are provided for general visual reference only and depict approved burn barrel zones within the counties of Del

Norte, Trinity and Humboldt. Where any conflict or potential conflict appears between any of the maps depicted and the area references specified in Section 1.3.1 above, the reference(s) specified in Sections 1.3.1 above shall be enforced as the regulatory determination for approved burn barrel use.

Figure 1, District-Wide Burn Barrel Zone Exemption

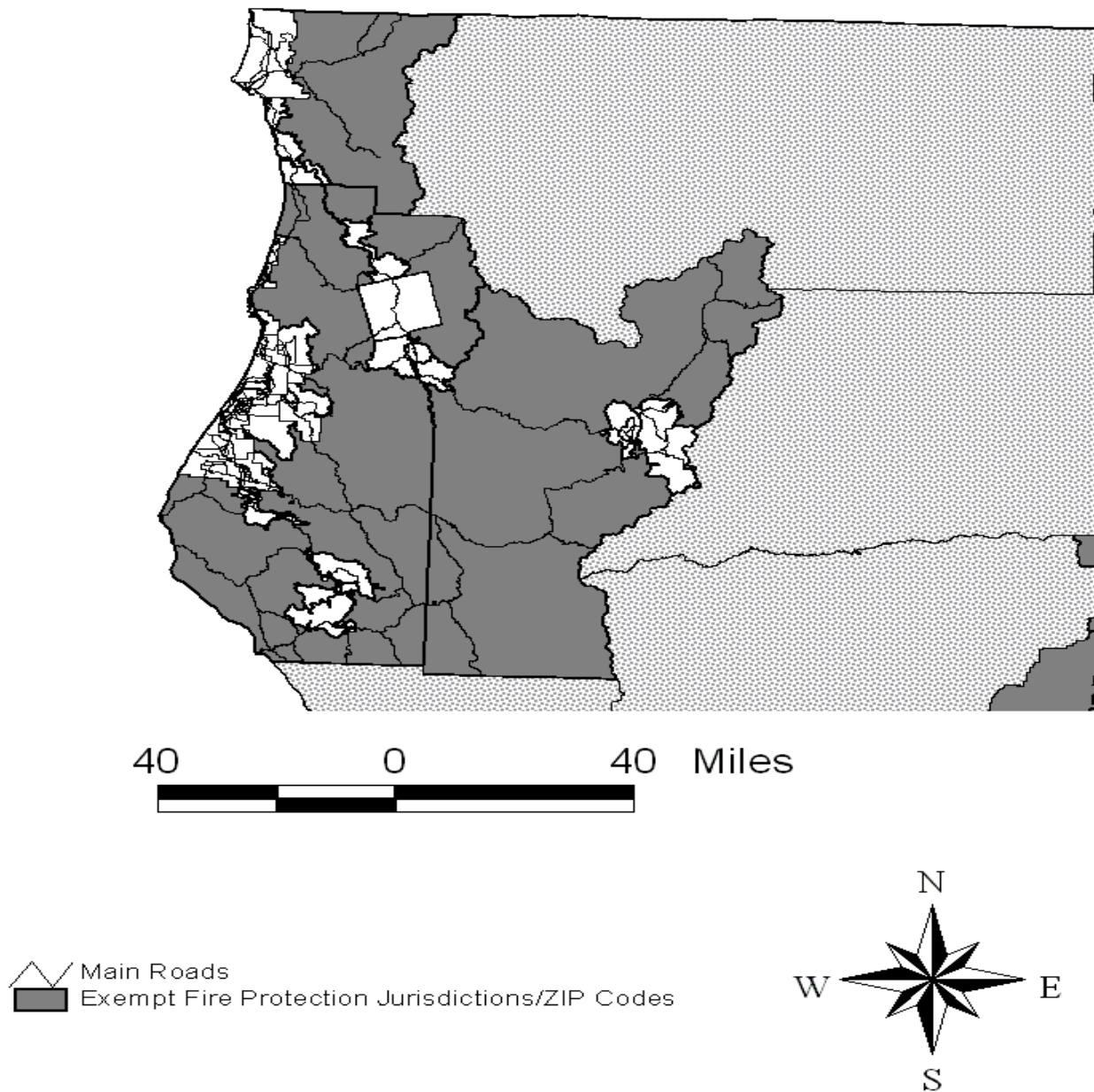


Figure 2, Del Norte County Burn Barrel Zone Exemption

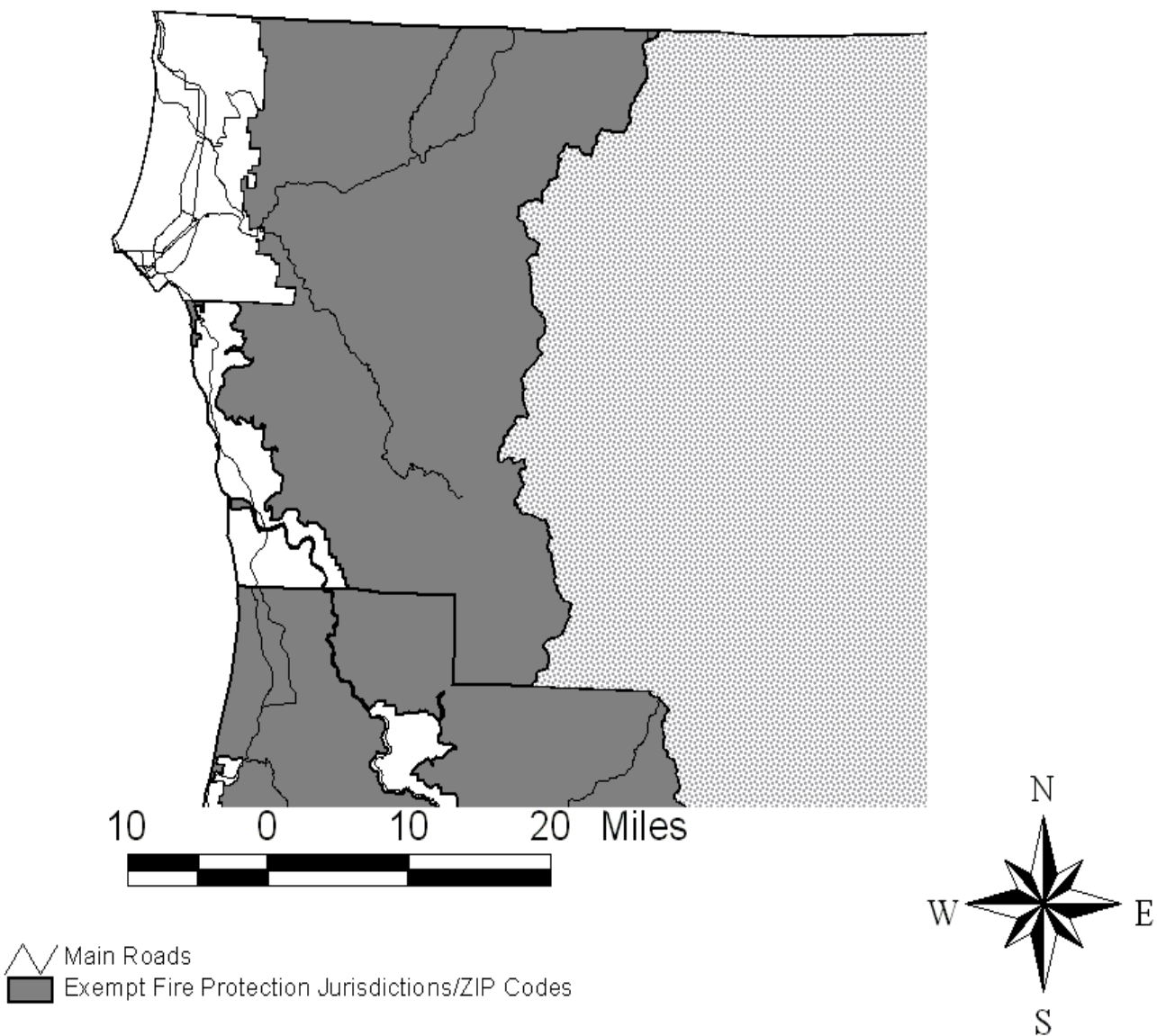


Figure 3, Trinity County Burn Barrel Zone Exemption

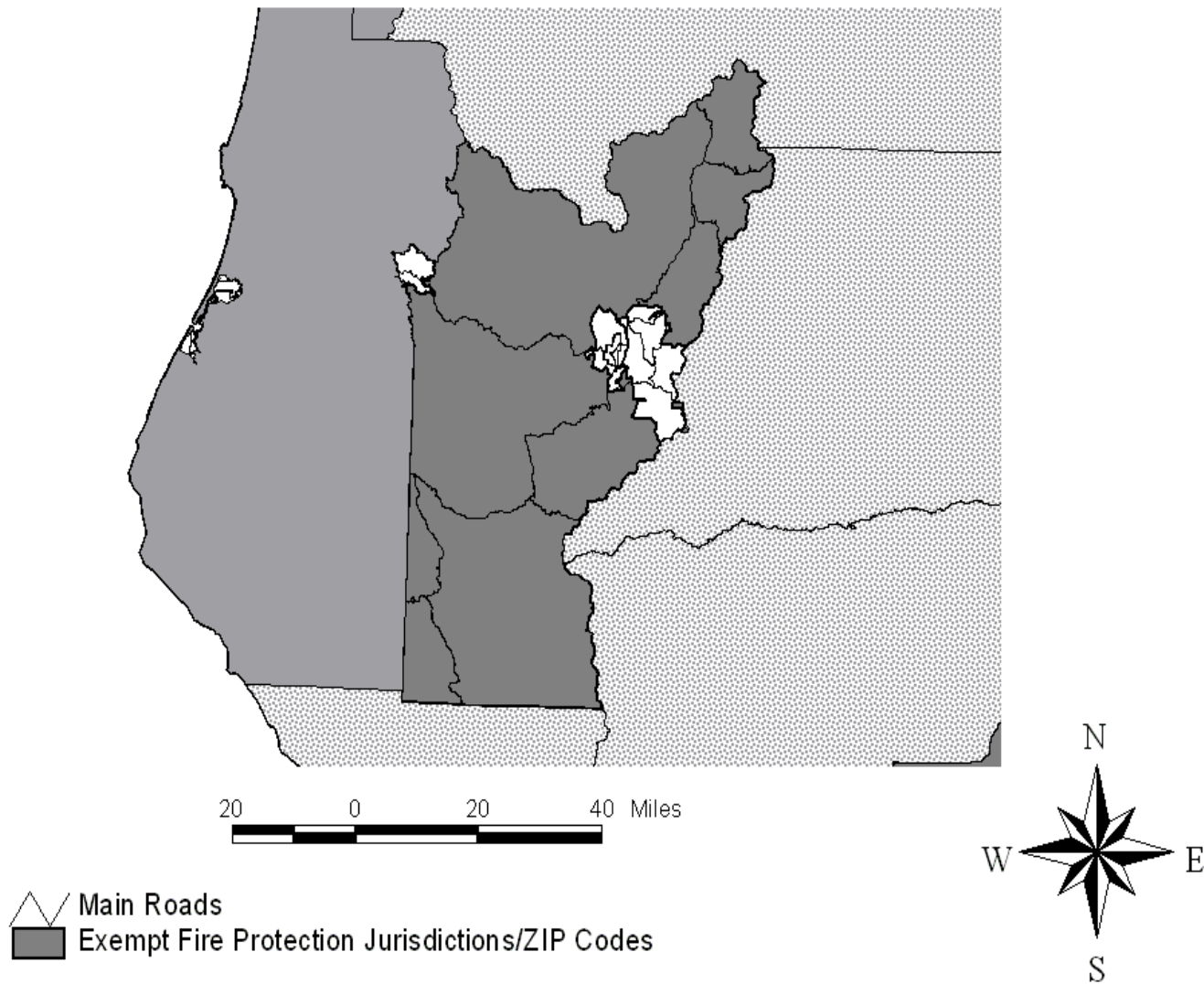


Figure 4, North Humboldt County Burn Barrel Zone Exemption

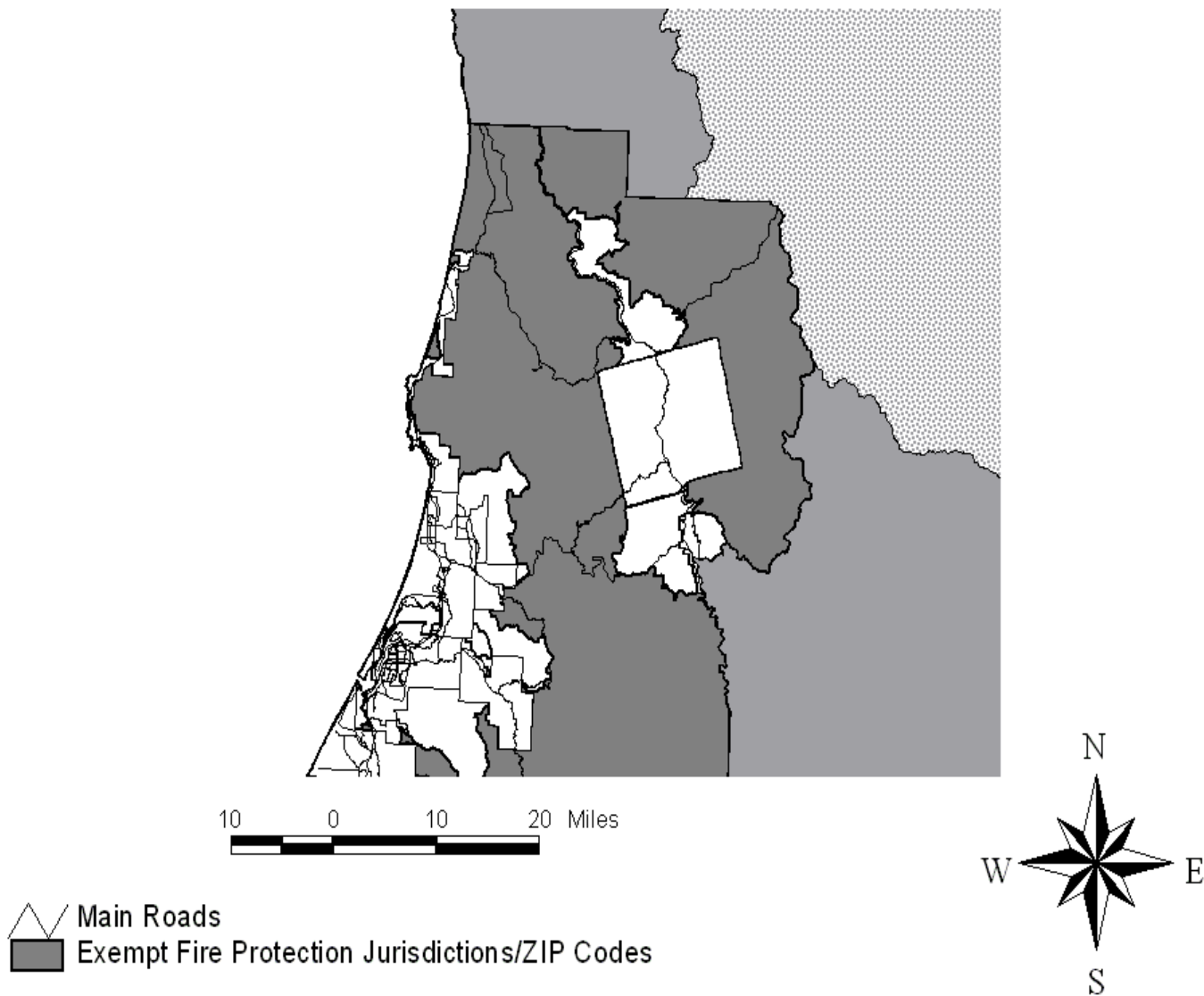


Figure 5, Central Humboldt County Burn Barrel Zone Exemption

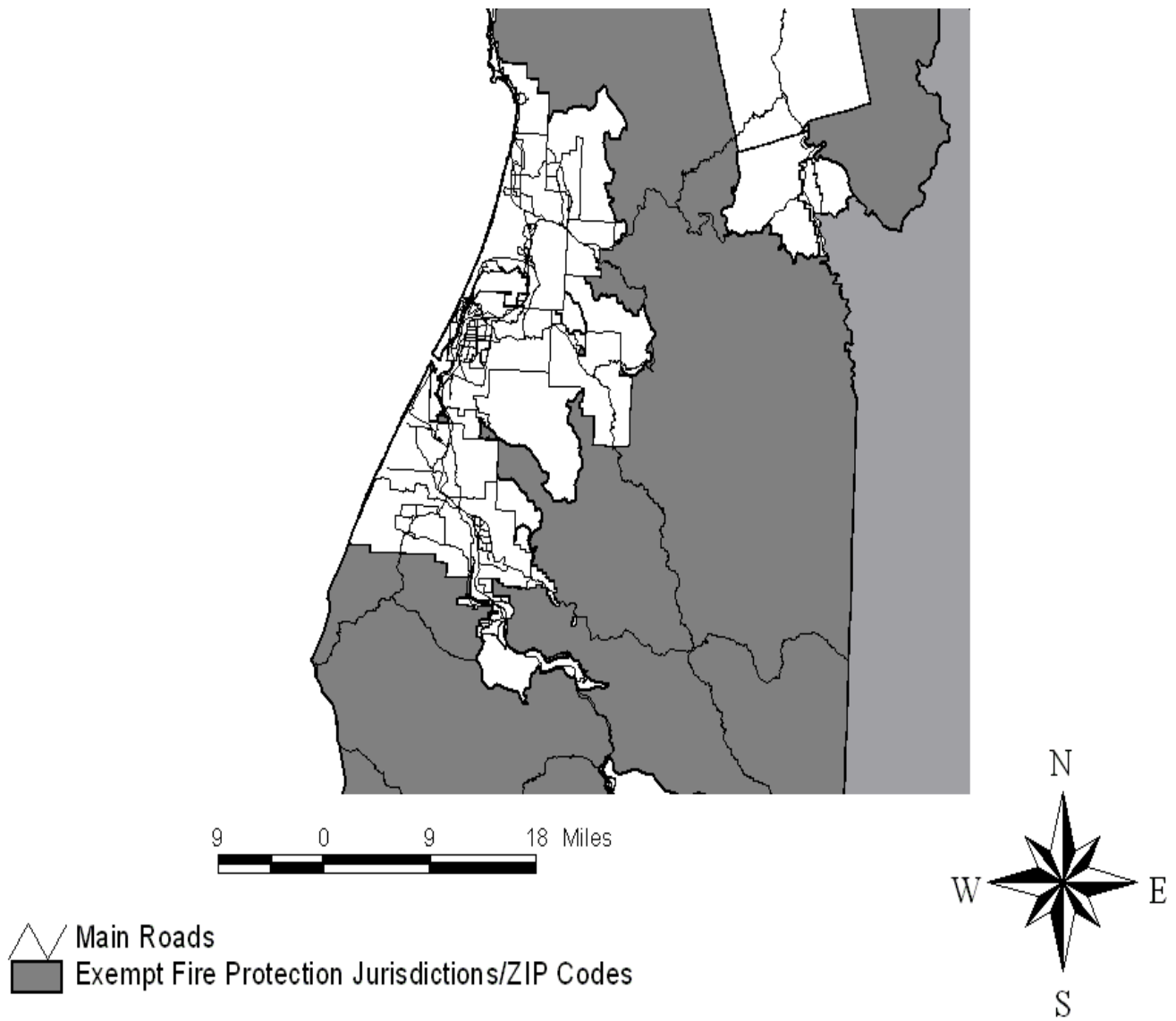
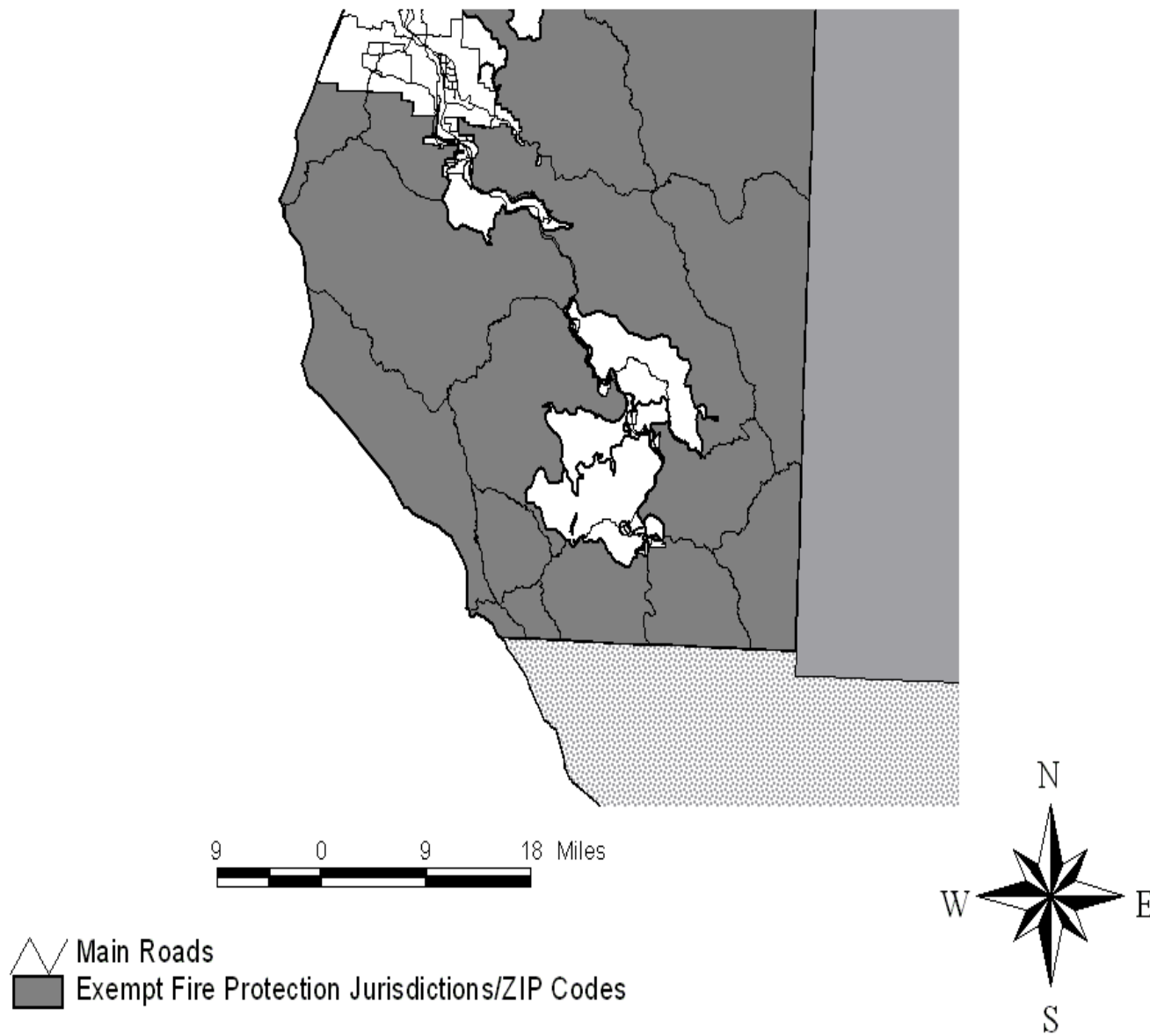


Figure 6, Southern Humboldt County Burn Barrel Zone Exemption



- 1.4** The exemptions provided for those areas exempt under Section 1.3, above, shall terminate on December 31, 2013, unless reviewed and approved by the North Coast Unified Air Quality Management District Governing Board prior to December 31, 2013, and approved by the California Air Resources Board.

2.0 ARRANGEMENT OF BURNABLE WASTE

- 2.1 Smoke Minimization.** All burnable waste shall be arranged so that it will ignite as rapidly as practicable within applicable fire control restrictions and burn with a minimum of smoke.

- 2.2 Designated Burn Period.** Only that amount of waste that can reasonably be expected to completely burn within the burn period designated on a valid Coordinated Burn Authorization Permit following ignition shall be ignited on any one (1) day; provided, however, when approved by the APCO trees, stumps and branches greater than six (6) inches in diameter may be ignited even though they cannot reasonably be expected to completely burn within such period. Burning vegetation greater than six (6) inches in diameter may be ignited even though they cannot reasonably be expected to completely burn within such period. Burning vegetation greater than six (6) inches in diameter beyond the designated burn hours does not relieve the permittee from smoke impact liability.

- 3.0 DRYING PERIOD.** Except as provided for in Rule 203 of these Rules and Regulations to lower the moisture content of agricultural waste, the elapsed time between cutting, felling or uprooting and ignition or burning shall be:

- 3.1** A minimum of thirty (30) days for trees, stumps and branches greater than six (6) inches in diameter.

- 3.2** A minimum of fifteen (15) days for vines, bushes or branches less than or equal to six (6) inches in diameter.

- 4.0 WIND DIRECTION.** Waste authorized for burning shall not be ignited when the wind direction is such that smoke from the burning of such waste would be blown or carried into a nearby populated area and could create a public nuisance.

- 5.0 BURNING OF VINES OR BUSHES TREATED WITH HERBICIDES.** Notwithstanding the provisions of Section 3 of this Rule, vines or bushes may be burned in place without being cut or uprooted if they are treated and desiccated with herbicides and allowed to dry at least six (6) months prior to ignition or burning. However, such burning may be allowed by the Air Pollution Control Officer prior to the expiration of the six (6) month period when performed in accord with a valid Coordinated Burn Authorization Permit and where the applicant for a Coordinated Burn Authorization Permit demonstrates to the satisfaction of the Air Pollution Control Officer that burning vines or bushes treated with herbicides, prior to the expiration of such six (6) month period, could be accomplished in a manner which would produce no more smoke than would be produced by the burning of the same type of vines or bushes which had been cut or uprooted and dried for fifteen (15) days.

- 6.0 TRANSPORTATION OF BURNABLE MATERIALS.** All vegetative material to be burned pursuant to this Regulation must be burned on the property where the material was grown. No

material may be transported to another location to be burned, except in compliance with the exemption provided under Rule 206.

Rule 204 Ignition Devices and Methods
(Adopted July 18, 2003, Revised May 15, 2008)

RULE 204 CONTENTS

- 1.0 IGNITION DEVICES
- 2.0 FIELD CROP IGNITION METHODS

RULE 204
IGNITION DEVICES AND METHODS

- 1.0 IGNITION DEVICES.** All vegetative wastes to be burned shall be ignited only with approved ignition devices as defined in Rule 200.
- 2.0 FIELD CROP IGNITION METHODS.** Rice, barley, oat and wheat straw shall be ignited only by strip firing or by backfiring except under a special condition of the District issued when and where extreme fire hazards are declared by a local, state or federal public fire protection agency, or where crops are determined by the Air Pollution Control Officer not to lend themselves to these techniques.

Rule 205 Certificates From Department of Fish and Game
(Adopted July18, 2003)

- 1.0 CERTIFICATES FROM DEPARTMENT OF FISH AND GAME.** No agricultural burning shall be conducted for the sole purpose of the improvement of land for wildlife or game habitat until the person desiring to conduct such burning obtains from the California Department of Fish and Game a written statement certifying that the burning is desirable and proper for the improvement of land for wildlife or game habitat, and such statement is filed with the Air Pollution Control Officer, and such burning is conducted pursuant to a valid Coordinated Burn Authorization Permit.

Rule 206 Burning at Disposal Sites

(Adopted and Re-codified July 18, 2003; Revised December 16, 2004)

- 1.0 GENERAL PROHIBITION AGAINST BURNING AT DISPOSAL SITES.** It is unlawful to burn rubbish or garbage at dumps, refuse disposal areas or at any solid waste dump, whether public or private, or to burn garbage anywhere else in the counties of Humboldt, Del Norte and Trinity. However, fires used for the disposal of natural vegetation from trees, vines and brush at any approved disposal site in the North Coast Unified Air Quality Management District may occur if approved by the Air Pollution Control Officer (APCO). Such approval does not relieve the applicant from complying with the restrictions and limitations specified in valid permit to operate issued by the APCO. No material may be burned pursuant to this Section unless:
- 1.1** The state board has approved the use of open outdoor fires at the designated disposal site to dispose of such wood waste and the operation of the disposal site will not prevent the achievement and maintenance of ambient air quality standards;
 - 1.2** The burning is done on a Permissive Burn Day;
 - 1.3** The material to be burned has been arranged so that it will ignite as rapidly as practicable within applicable fire control restrictions and burn with a minimum of smoke;
 - 1.4** Where the vegetation is cut, uprooted or treated, and allowed to dry, in the same manner as specified in Rule 203, Section 3 "Drying Periods," and Section 5 "Burning of Vines or Bushes Treated with Herbicides;" and,
 - 1.5** Performed pursuant to a valid Coordinated Burn Authorization Permit
 - 1.6** No permit shall be issued until there is filed with the district a written statement by the owner of the land on which the disposal site is located, or his agent, or if some other person is lawfully in possession of such land, approving burning on said property.
 - 1.7** Prior to issuing a permit, the district may inspect the wood waste to be burned to verify that it is exclusively wood waste from trees, vines, and brush.

Rule 207 Wildland Vegetation Management Burning
(Adopted July 18, 2003, Revised May 15, 2008)

RULE 207 CONTENTS

- 1.0 BURN PLAN
- 2.0 ACREAGE LIMITATION
- 3.0 ADVANCE PERMISSIVE BURN NOTICE

RULE 207
WILDLAND VEGETATION MANAGEMENT BURNING

Wildland vegetation management burning shall comply with these Rules and Regulations of the North Coast Unified Air Quality Management District (“District”), including but not limited to the following specific requirements:

- 1.0 BURN PLAN.** Any proposed burn, greater than one (1) acre shall only be authorized when performed in accord with a valid Coordinated Burn Authorization Permit and shall require the following data to be submitted in a burn plan to the District at least seven (7) days prior to ignition, or shall be registered for smoke management planning in accordance with the Burn Registration Program established pursuant to the agreement and approved by California Air Resources Board (CARB) between the District and the Fuels Management Group:
 - 1.1** Acreage covered by the burn plan;
 - 1.2** Location and specific objectives of the burn project;
 - 1.3** Type and condition of fuel and arrangement of the vegetation to be burned;
 - 1.4** Direction and distances to populated or sensitive receptor areas;
 - 1.5** Project burn schedule (ignition to burn down) and fuel combustion prescription elements;
 - 1.6** Fuel condition, combustion and meteorological prescription elements developed for the burn projects;
 - 1.7** Specifications for monitoring and verifying project parameters;
 - 1.8** Procedures for notifying the public and other agencies of the burn.
- 2.0 ACREAGE LIMITATION.** No more than 6,000 acres of wildland vegetation as defined in these Rules and Regulations shall be ignited on any one (1) day within the entire

geographical area of counties of Humboldt, Del Norte and Trinity subject to the further limitation that the burn authorization system shall not allow more burning of wild land vegetation on a daily basis than is appropriate for the meteorological or air quality conditions within the entire geographical area of Humboldt, Del Norte and Trinity counties.

3.0 ADVANCE PERMISSIVE-BURN NOTICE. Upon request from a permittee through the District, seven (7) days in advance of a specific range improvement burn, forest management burn or wildland vegetation management burn at any elevation a 48-hour forecast, 72-hour outlook or a 96-hour trend will be issued by the state board for such a burn if requested to do so by the District.

3.1 Notwithstanding Section 3 of this Rule, the CARB may cancel permissive-burn notices that have been issued more than 24 hours in advance if the cancellation is necessary to maintain suitable air quality.

3.2 A 72-hour outlook and a 96-hour trend will be available in advance of burns specified in Section 3 of this Rule.

Rule 208 Burn Registration Program

(Adopted and Re-codified July 18, 2003; Revised December 16, 2004)

RULE 208 CONTENTS

- 1.0 BURN REGISTRATION AND REPORTING
- 2.0 BURN AUTHORIZATION SYSTEM
- 3.0 SMOKE MANAGEMENT PLANNING

**RULE 208
BURN REGISTRATION PROGRAM****1.0 BURN REGISTRATION AND REPORTING:**

- 1.1 All persons who desire to conduct agricultural or prescribed burning in the District in any particular calendar year must register their planned burn projects with the District. The North Coast Fuels Management Cooperative (NCFMC) members register their burns in August of each year. Other agricultural and prescribed burners register their burns prior to the anticipated burn season. Updates and late additions to this registration process are accepted. The burn registration must include: the name of the permittee, including a contact person with phone number; a listing of all projects planned, with legal descriptions of their locations (township, range, Section #); an estimate of the total acreage and/or tons of material to be burned; and a meteorological prescription addressing smoke management concerns.
- 1.2 The District will accept burn registrations in whatever format the registrant wishes to use, as long as the required information is included in the registration. The District will supply and the registrant shall complete and submit to the AQMD, a Burn Registration Smoke Management Plan for each distinct project or watershed unit(s) prior to burning.
- 1.3 The Air Pollution Control Officer shall submit a report to the California Air Resources Board (CARB) of the agricultural and prescribed burning conducted each calendar year in the District, and no later than 45 days from 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 by county.
- 1.4 The District shall report all special permits (no-burn day permits) issued each calendar year in the District to the California Air Resources Board (CARB), after December 31st of each year and no later than 45 days after that date. 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, and 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.
- 1.5 Once the California 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.

- 1.6** 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:
- 1.6.1** (1) After consultation with the district, the district decides, for smoke management purposes, that the burn can be managed for resource benefit; or
 - 1.6.2** (2) 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.
 - 1.6.3** (3) 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 be managed for resource benefit.
 - 1.6.4** A “no-go” decision does not necessarily mean that the fire must be extinguished, but that the fire cannot be considered as a prescribed fire.
- 1.7** A post-burn smoke management evaluation shall be submitted by the burner for fires greater than 250 acres.

2.0 BURN AUTHORIZATION SYSTEM

- 2.1** The District operates a daily burn authorization system which 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.
- 2.2** The purpose of the burn authorization system is to minimize smoke impacts in smoke sensitive areas, avoid cumulative smoke impacts and prevent public nuisance. As such, all burn authorization requests are evaluated first by these considerations.
- 2.3** In evaluating burn authorization requests the District considers the following factors:
- 2.3.1** Air quality; (Ambient Air Quality Standards)
 - 2.3.2** Meteorological conditions expected during burning;
 - 2.3.3** Types and amounts of materials to be burned;
 - 2.3.4** Location and timing of materials to be burned;
 - 2.3.5** Locations of smoke sensitive receptors; and
 - 2.3.6** Smoke from all burning activities, including burning in neighboring air districts or regions which may affect the air quality in this District.
- 2.4** Burn authorizations are given on a first come first served basis. Once a burn authorization is given it is only 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.
- 2.5** A burn authorization from the District only authorizes the ignition of a burn *if* the smoke management conditions given in the burn registration 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 burn registration plan for the specific burn. It is the burner’s responsibility to make sure all conditions listed in the burn registration plan are met prior to ignition. To validate the specific smoke transport conditions that exist on

each site, the District requests 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.

- 2.6** When an authorization to burn has been given by the District, a unique identifying number shall be assigned to that burn to track the particular burn and provide confirmation to the burner that the burn has been authorized.
- 2.7** To request a burn authorization, a burner must contact the District by phone, fax, e-mail or in person no sooner than 48 hours prior to the planned ignition. The District shall respond to a request for authorization within 24 hours of receipt of the request or within 1 hour of the planned ignition in the event that the request is submitted less than 24 hours prior to the time of the planned ignition.
- 2.8** In order to help plan burn projects prior to requesting a burn authorization from the Air District, burners may obtain a 48-hour forecast, 72-hour outlook and a 96-hour trend for specific burns from the California 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. District staff is also available to help in meteorological forecasting and smoke management planning if needed.
- 2.9** 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, including notifications from the burners and planned project ignitions not authorized. 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.
- 2.10** Multi-day burns require authorization be obtained on a daily basis from the Air District to continue with the burn.
- 2.11** A burn project may impact air sheds in other Districts of states the District staff shall notify the appropriate air quality agency prior to ignition. Any concerns these agencies have over the planned burn will be considered.

3.0 SMOKE MANAGEMENT PLANNING

- 3.1** Each burn project will be registered, subject to section 1.0, for smoke management planning purposes, either via the District's Burn Registration/Smoke Management Plan form, or an equivalent document providing the necessary smoke management planning information.
- 3.2** Burn projects less than 10 acres in size need only submit the information contained in the Burn Registration Section of the District smoke management plan (questions 1-6). Burn projects greater than 10 acres but less than 100 acres must complete all the questions found on the District smoke management form. Before issuing an authorization to burn, the District, at its discretion, may require additional smoke management procedures to be used

if a burn: a) is greater than 100 acres in size, b) may impact smoke sensitive areas, or c) presents other potential problems.

3.3 The following smoke management actions will be considered for every burn project, and may require written submittal to the District of the actions taken, consistent with the guidelines above and the District Burn Registration/Smoke Management Plan form.

3.3.1 Meteorological Prescription. Provide a detailed meteorological prescription that must be met to proceed with the burn. At a minimum the prescription must include acceptable wind direction. Other considerations may include wind speed, temperature profile, winds aloft, humidity, temperature, actual and predicted inversions, burn day status and forecast precipitation. Sources of where weather forecasts will be obtained to make smoke management decisions for the burn project may also be asked for.

3.3.2 Contingency Actions. The actions the burner will take if smoke from the burn project produces unacceptable smoke impacts, which may include: stopping further ignitions, active fire suppression, rapid mop up and other appropriate techniques that are discussed with the District.

3.3.3 Smoke Mitigation. Actions that will be taken to minimize smoke from the burn, which may include: minimum drying times/fuel moistures, piling and/or windrowing materials, active mop up of smoldering, pretreatment of fuels and other appropriate techniques.

3.3.4 Burning Alternatives. Describe the alternatives to burning which have been considered for this burn project and the basis of why the alternatives were not feasible or justified.

3.3.5 Smoke Sensitive Receptors. A description of what smoke sensitive receptors, such as towns, schools or roads, may be required. A map showing the location of sensitive receptors and predicted smoke travel may also be required.

3.3.6 Public Notification. The potentially affected public will be notified of the burn project by one or all of the following: media announcements, phone contact lists, road signs and other appropriate techniques.

3.3.7 Complaint Handling Procedures. A procedure shall be developed that insures that all complaints about smoke impacts received by a company or individual conducting the burn are promptly reported to the District.

3.3.8 Smoke Monitoring. Describe the procedures that will be used to monitor and track the smoke transport from the burn project, which may include: a smoke spotter to check on downwind sites, ambient air monitoring, aerial monitoring or other appropriate methods.