

**NORTH COAST UNIFIED AIR QUALITY MANAGEMENT
DISTRICT**

REGULATION II, OPEN BURNING

**ADOPTED AT PUBLIC HEARING ON
JULY 18, 2003**

Preface

This document, released for Board action, reflects updates to Regulation II, Rules 201 through 208, addressing selected public, fire agency, and California Air Resources Board (CARB) comments released on May 12, 2003 and June 16, 2003. Non-substantive clarifications recommended by CARB are reflected by ~~strikeout~~ (deletions) and underline (additions) to the June 16, 2003 Staff Proposal.

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RULE 200: EFFECTIVE DATE AND DEFINITIONS

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- 1.0 EFFECTIVE DATE
- 2.0 DEFINITIONS

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. Following adoption of Regulation II, the Interagency Smoke Management Council shall meet no less than annually to review the effectiveness of Regulation II, and provide recommendations as appropriate to the District Board to improve implementation of the District open burning regulations.

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. Approved ignition devices include but are not necessarily limited to liquid petroleum, gas, butane and flares.
- 2.6 Brush Treated.** 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 combustible or flammable waste materials 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 or 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 wildland protection, the state or federal official's determination overrides county and municipal authority with regard to issuance by 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 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.
- 2.13 Designated Agency.** Any agency designated by the CARB and approved by the APCO as having authority to issue agricultural burning permits.

- 2.14 Designated No-Burn Day.** Any day, or portion thereof, meeting the requirements of Rule 201. For the purposes of determining daily burn day status, the Air Pollution Control Officer shall announce permissive burn and no-burn days using designated smoke management zones as defined in Section 2.16, shall consider local meteorological and air quality-related factors in such determination, and shall be guided by the CARB daily burn day determinations.
- 2.15 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 as defined in Section 2.16, shall consider local meteorological and air quality-related factors, and shall be guided by the CARB daily determinations.
- 2.16 Designated Smoke Management Areas.** Any of three (3) approved burn day Smoke Management Areas within the North Coast Unified Air Quality Management District, including:
- 2.16.1 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.
- 2.16.2 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.
- 2.16.3 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.
- 2.17 District.** The Air Quality Management District having jurisdiction in the area of the proposed burning.
- 2.18 Economic Hardship.** Possessing an annual income below the poverty level, as defined by the Bureau of Census, U.S. Department of Commerce, or as defined in Section 39026.5 of the California Health and Safety Code.
- 2.19 Fire Hazard.** Either an imminent fire hazard or a potential fire hazard, as follows:
- 2.19.1 An imminent fire hazard** is a hazard which presents imminent dangers to the health and/or safety of a person or persons and which becomes

necessary for direct prevention of fire, and because of its immanency, cannot immediately be abated by any other means. {H & S 41801 (a)}.

2.19.2 *A 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.

2.20 Forest Management Burning. The use of open fires, as part of a forest management practice to remove forest debris or for forest management practices which include timber operations, agriculture practices or forest protection practices.

2.20.1 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.

2.20.2 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.

2.21 Incinerator. Any device constructed of nonflammable materials, including containers commonly known as burn barrels, for the purpose of burning therein trash, debris and other flammable materials.

2.22 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 industry 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.

2.23 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 burn, requirement that all burning to be conducted by persons 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.

- 2.24 Natural Vegetation.** All plants, including but not limited to grasses, trees, shrubs, 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.
- 2.25 Nonresidential Waste Burning.** The disposal of the combustible or flammable waste from any dwelling unit or residence which is not a single or two family dwelling unit or residence, or burning by a commercial business or entity and which is not agricultural burning, range improvement burning, forest management burning, wildland vegetation burning, or cooking fires.
- 2.26 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.
- 2.27 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.
- 2.28 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.
- 2.29 Open Outdoor Fire.** Any combustion of combustible material(s) of any type, outdoors where the products of combustion are not directed through a flue.
- 2.30 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.
- 2.31 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.
- 2.32 Prohibited Ignition Devices.** Include but are not limited to tires, tar, tar paper, oil and other high smoke-producing material(s).

- 2.33 Prohibited Burn Materials:** Prohibited burn materials are materials that are not allowed to be burned, and are disallowed combustibles unless otherwise specifically provided for in this Regulation. Prohibited burn materials shall include, but are not necessarily limited to: petroleum products, petroleum waste, coated wire, putrescible wastes, tires, tar, tar paper, non-natural wood wastes, processed or treated wood, processed or treated wood products, metals, motor vehicle bodies and parts, rubber, synthetics; plastics, 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 or wastes (including blood and fecal material and food containing 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 are not prohibited burn materials if reasonably free from dirt, soil and surface moisture.
- 2.34 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.
- 2.35 Residence.** A single- or two-family dwelling and the land and ancillary structures surrounding it.
- 2.36 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.
- 2.37 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).
- 2.38 Siviculture.** The establishment, development, care and reproduction of stands of timber.
- 2.39 Timber Operations.** Cutting or removal of timber or other forest vegetation.
- 2.40 Waste.** All discarded putrescible and non-putrescible solid, semisolid and liquid materials, including but not limited to petroleum products, metals, motor vehicle bodies and parts, rubber, synthetics; plastics 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 of wastes (including blood, fecal material and food-containing material), asbestos shingles, floor tiles and other similar smoke-producing materials.

- 2.41 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.
- 2.42 Local Responsibility Area (LRA).** That area where the local department is responsible for wildland fire protection. This includes incorporated cities and unincorporated areas that are not State Responsibility areas.
- 2.43 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 wildland 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

(proposed for adoption July 18, 2003)

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1.0 GENERAL PROHIBITIONS.

- 1.1 Except as provided in these Rules and Regulations, no person shall use open fires for the purpose of disposal of any waste, including but not limited to natural vegetation, prohibited burn materials, or disallowed materials. 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 Burn Day in the designated smoke management area where the residential waste burning is to take place.

2.0 EXEMPTIONS TO GENERAL PROHIBITIONS. Nothing in these Rules and Regulations shall be construed to prohibit the following specified burning when performed with a valid Coordinated Burn Authorization Permit and approved by the APCO.

- 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 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 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;

- 2.6 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 Wildland Vegetation Management Burning.** Burning operations conducted for the purpose of wildland 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. 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.

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 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 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 bar-coded 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.** There are established throughout the North Coast Unified Air Quality Management District three (3) Designated Smoke Management Areas:
- a. Coastal Smoke Management Area;
 - b. Inland Zone Smoke Management Area below 2,000 feet mean sea level elevation; and
 - c. Inland Zone Smoke Management Area above 2,000 feet mean sea level elevation.

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 any No-Burn Day, and a person shall not knowingly set or permit burning on a No-Burn Day unless otherwise approved by the APCO. For the purpose of this Regulation, a person shall be deemed to have approved burning if the person allows the setting or use of such fires for the disposal of approved combustibles or prohibited burn materials under his control, on land under the person's ownership, or by the person's employees or other persons under his or her control.

- 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, 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 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 days designated by the CARB as No-Burn Days, shall submit, either verbally or in writing to the Air Pollution Control Officer a request for such burning and shall include justification 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.

6.0 COORDINATED BURN AUTHORIZATION PERMIT FEES

- 6.1 General Fees.** Every applicant for a Coordinated Burn Authorization Permit shall pay to the District initially, and annually upon the issuance of annually renewed bar-coded permit certification, the following Coordinated Burn Authorization Permit fee(s) pursuant to this Regulation:

- 6.1.1 Every applicant for a Coordinated Burn Authorization Permit for Residential Burning, shall pay an annual fee of \$12.00.
 - 6.1.2 Every applicant for a Coordinated Burn Authorization Permit for Non-Residential Burning involving less than one (1) acre, shall pay an annual fee of \$25.00.
 - 6.1.3 Every applicant for a Coordinated Burn Authorization Permit for Non-Residential Burning involving more than one (1) acres but less than one hundred (100) acres, shall pay an annual fee of \$50.00.
 - 6.1.4 Every applicant for a Coordinated Burn Authorization Permit for Non-Residential Burning involving more than one hundred (100) acres shall pay an annual fee of \$100.00.
 - 6.1.5 No Coordinated Burn Authorization Permit is valid until the Annual Fee is paid and in the receipt of the District.
 - 6.1.6 Every Coordinated Burn Authorization Permit, for which a fee is paid, shall be valid for twelve (12) consecutive months beginning with the day the permit fee is received, unless revoked in writing by the District, or any local, State or federal fire protection agency.
- 6.2 Public Officer Training of Public Employees.** A Coordinated Burn Authorization Permit fee shall not be assessed for burning conducted pursuant to a responsible fire agency for training or emergencies, provided that training burns are not used to circumvent required permits for non-public entities or persons.
- 6.3 Field Inspection Fee.** Notwithstanding provisions set out in Section 6.2, a field inspection fee of \$30 shall be paid for burning any residential or nonresidential structure for which the Air Pollution Control Officer determines a field site asbestos inspection of the structure to be burned is necessary to ensure the absence of asbestos containing materials, and when such on-site asbestos inspection is performed by the District, and the District is notified of the training burn.
- 6.4 Economic Hardship.** Coordinated Burn Authorization Permit fees for residential burning may be waived by the Air Pollution Control Officer upon a showing of economic hardship or during circumstances deemed by the Air Pollution Control Officer as an emergency.

RULE 202: BURN HOURS AND NOTICE OF IGNITION

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- 2.0 NOTICE OF INTENT TO IGNITE
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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 Agricultural, Forest Management and Wildland Vegetation Management. Unless otherwise specifically authorized, no ignition of Agricultural, Forest Management or Wildland Vegetation Management fuels shall commence before 6:00A.M. and shall not continue after 12:00 P.M. in any one (1) day, provided however, that when such burning is performed in with a valid Coordinated Burn Authorization Permit 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 12:00 P.M. in any one (1) day. Forecasts for burn day determinations are available by 4:00 P.M. the day before and by 8:30 A.M. the morning of the burn.

1.3 Non-Agricultural and Residential Wastes. No Non-Agricultural and Residential burning shall commence before 6:00 A.M. and shall not continue after 12:00 P.M. in any one (1) day.

1.4 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

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

1.0 PROHIBITION OF BURN BARREL USE AND DRYING REQUIREMENTS.

- 1.1 All wastes to be burned shall be free of prohibited 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, dry non-glossy paper and cardboard and natural vegetation *may* be burned in a burn barrel 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: **As shown in Figures 1 to 5**

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 the map 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

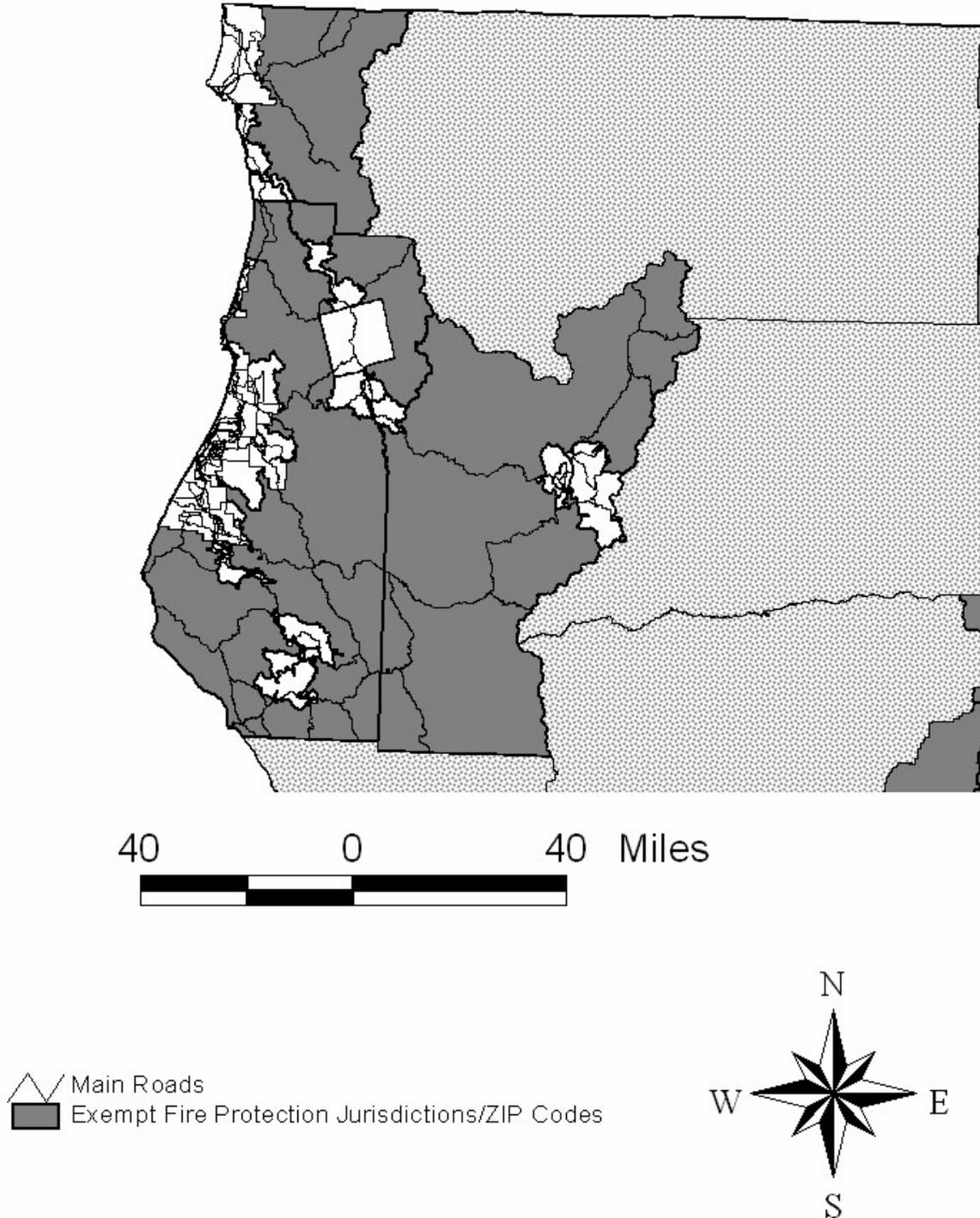


Figure 2, Del Norte County Burn Barrel Zone Exemption

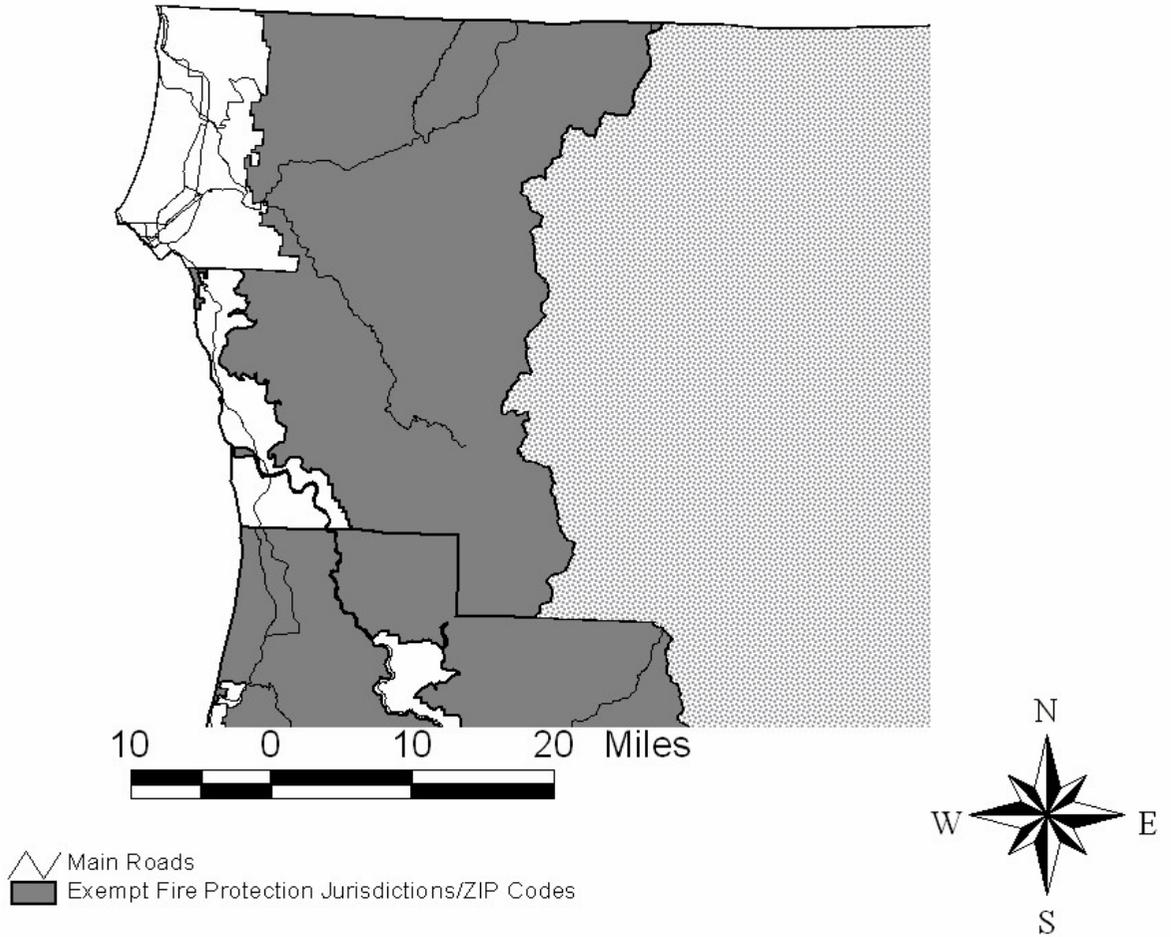


Figure 3, Trinity County Burn Barrel Zone Exemption

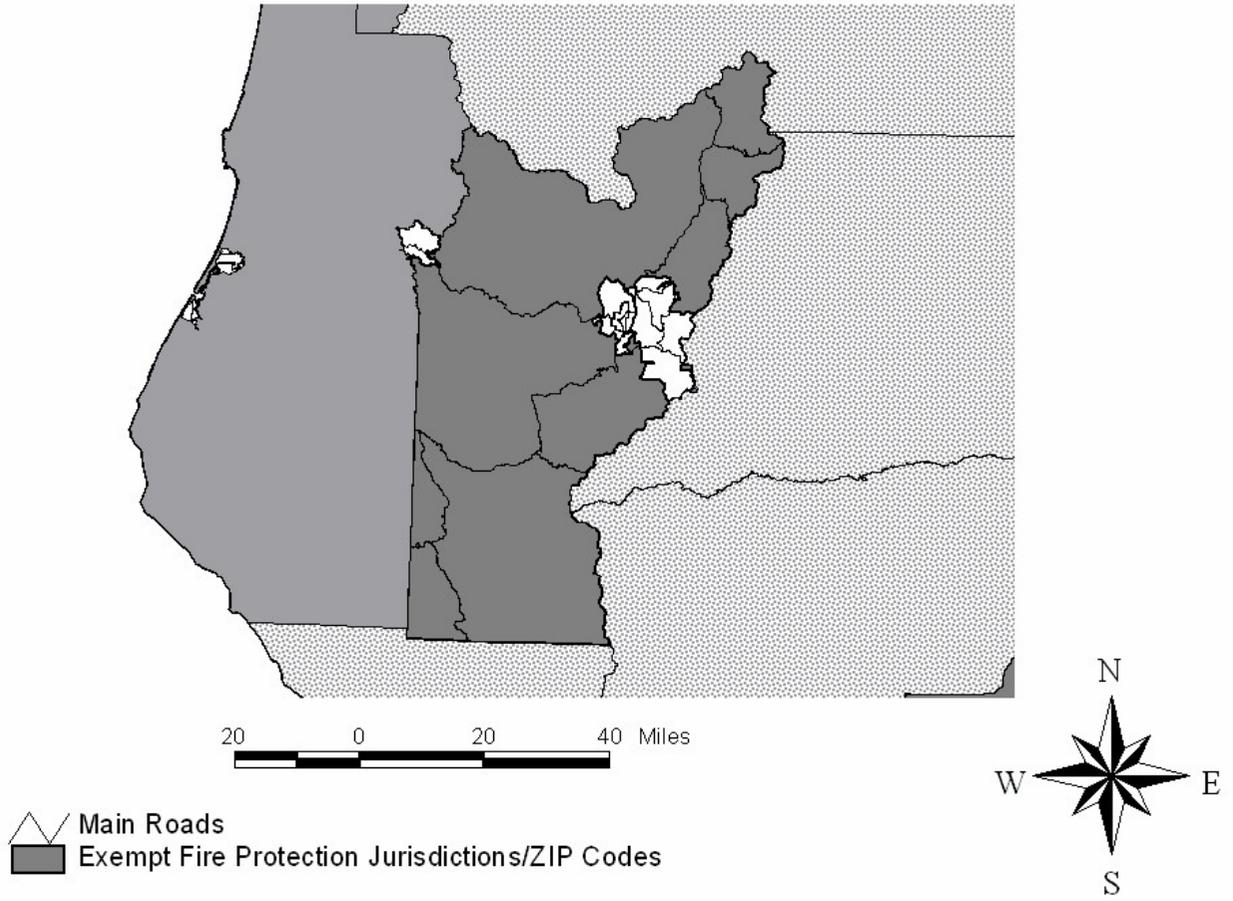


Figure 4, North Humboldt County Burn Barrel Zone Exemption

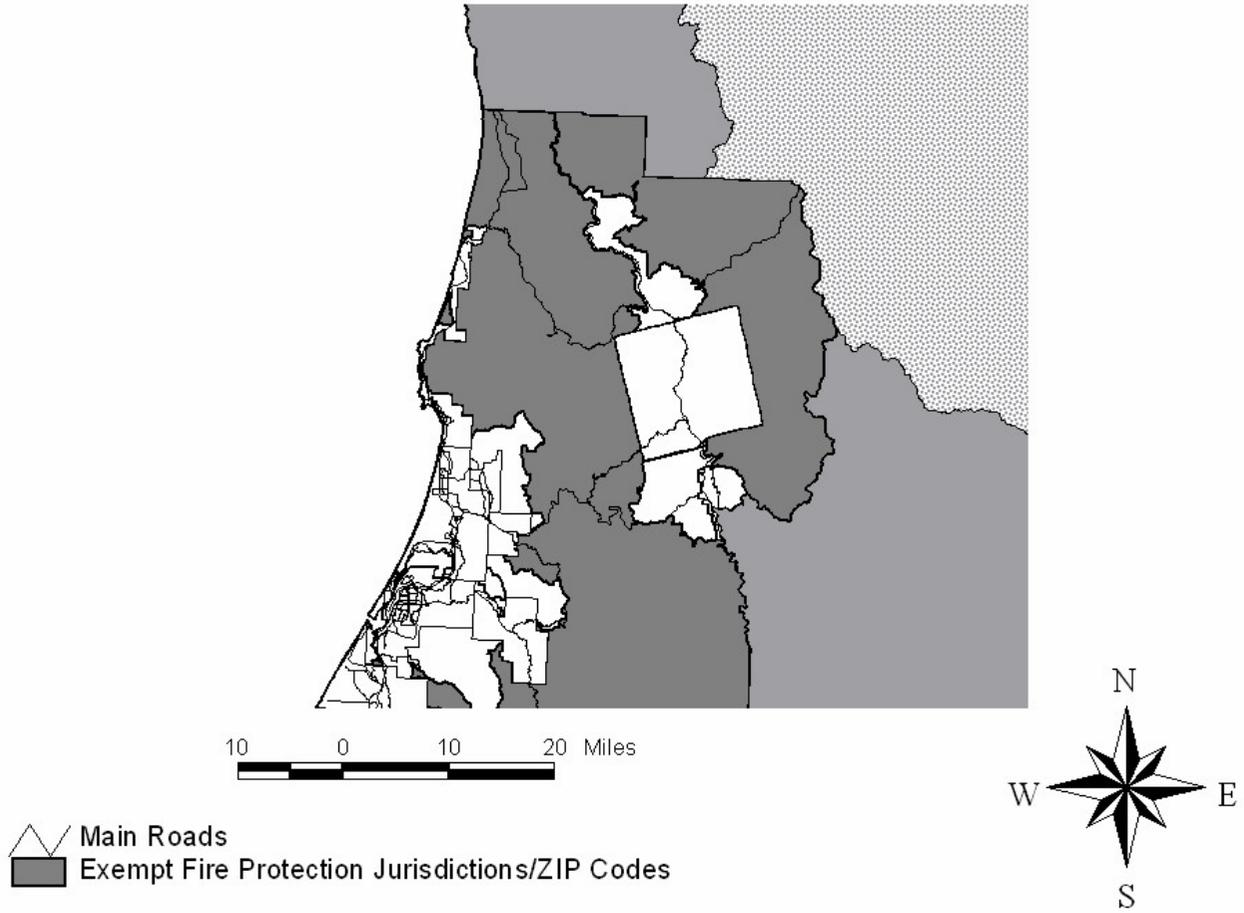


Figure 5, Central Humboldt County Burn Barrel Zone Exemption

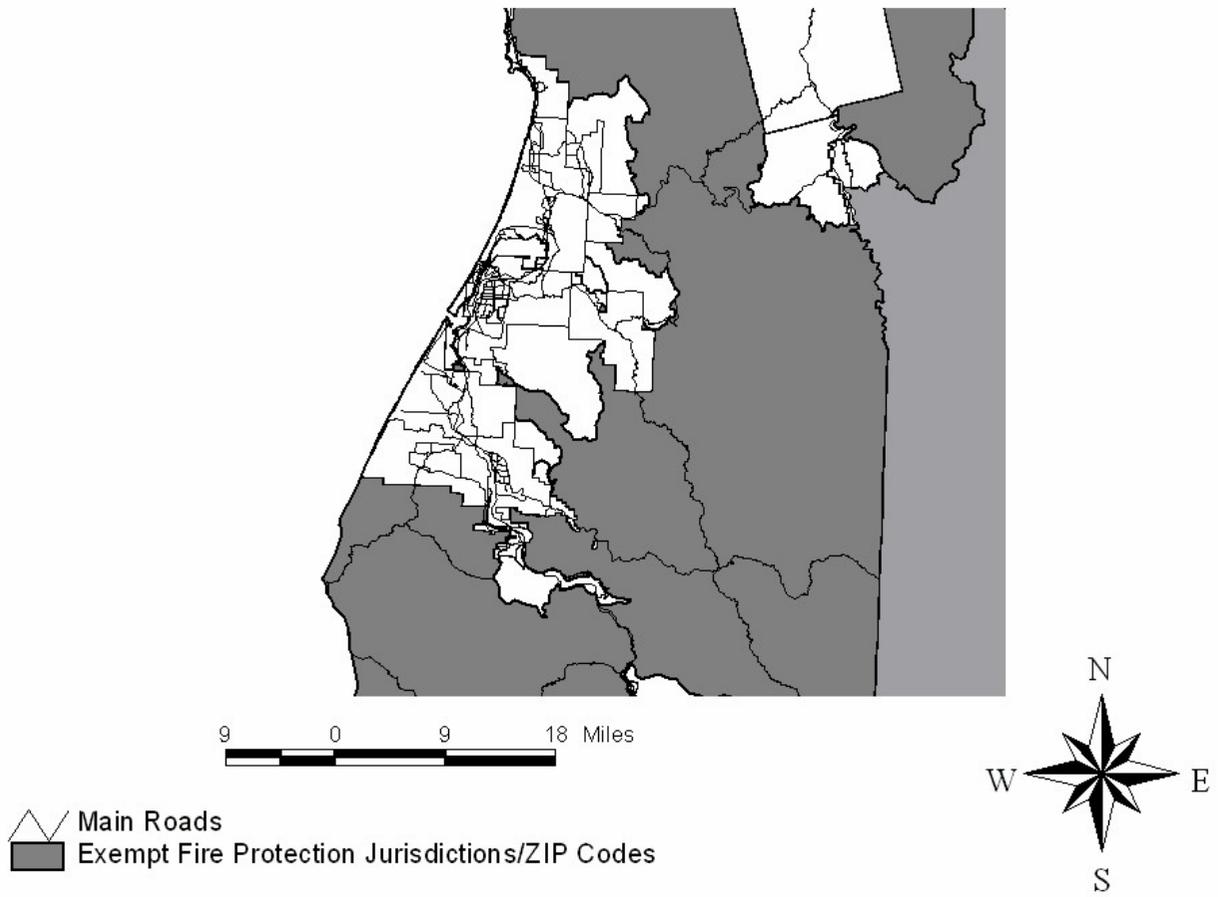
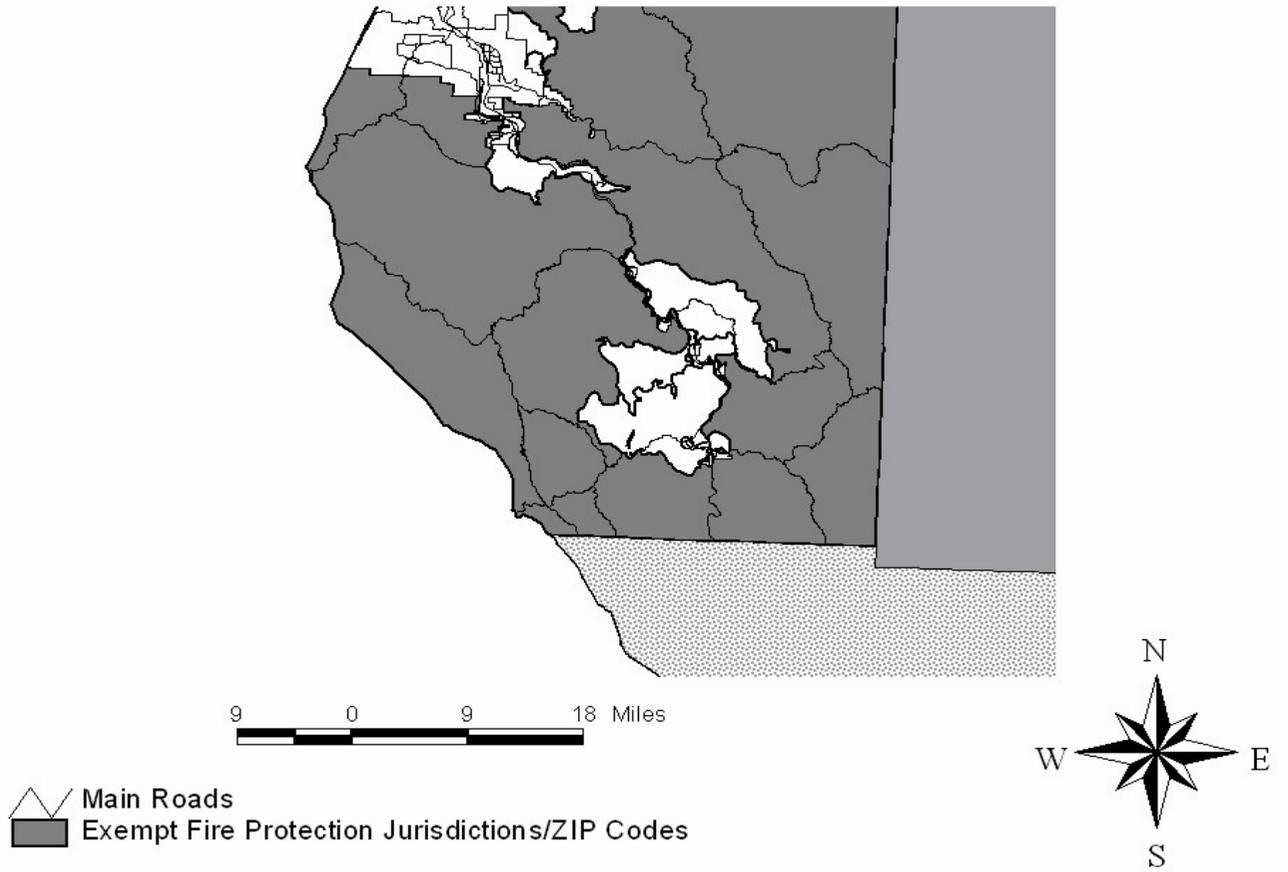


Figure 6, Southern Humboldt County Burn Barrel Zone Exemption



1.4 The exemptions provided for those areas exempt under Section 1.4, 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, 2003, 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

CONTENTS

1.0 IGNITION DEVICES

2.0 FIELD CROP IGNITION 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

CONTENTS:

1.0 CERTIFICATES FROM DEPARTMENT OF FISH AND GAME

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

CONTENTS

1.0 GENERAL PROHIBITION AGAINST BURNING AT DISPOSAL SITES

1.1 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 non-industrial wood waste from trees, vines and brush at any approved disposal site in the North Coast Unified Air Quality Management District may conduct such burning upon the finding by the Air Pollution Control Officer (APCO) that because of sparse population in the geographical area and economic and technical difficulties, the solid waste dump should be so operated, and subject to the restrictions and limitations specified in valid permit to operate issued by the APCO. No material may be burned pursuant to this Section unless:

- 1.1.1** 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;
- 1.1.2** The burning is done on a Permissive Burn Day;
- 1.1.3** 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;
- 1.1.4** 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,
- 1.1.5** Performed pursuant to a valid Coordinated Burn Authorization Permit
- 1.1.6** 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, by such other person, approving the burning on such land by the city or county.
- 1.1.7** Prior to issuing a permit, the district may inspect the wood waste to be burned to verify that it is exclusively non-industrial wood waste from trees, vines, and brush.

RULE 207: WILDLAND VEGETATION MANAGEMENT BURNING

CONTENTS:

- 1.0 BURN PLAN
- 2.0 ACREAGE LIMITATION

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.

RULE 208: BURN REGISTRATION PROGRAM

CONTENTS:

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

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 a generic burn registration/smoke management plan application to those burn registrants.
- 1.3 A report of the agricultural and prescribed burning conducted each calendar year in the District is submitted to California Air Resources Board (CARB) 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 by county.
- 1.4 The District also reports all special permits (no-burn day permits) issued each calendar year within 45 days 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, 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;
 - 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 are 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 airsheds 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 incorporated into the authorization.

3.0 SMOKE MANAGEMENT PLANNING

- 3.1 Each burn project will be registered 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.

Appendix A

Humboldt Air Basin

Appendix B

Draft Coordinated Burn Authorization Permit

DRAFT

**North Coast Interagency Coordinated Burn Authorization Permit
(CBA Permit # 1234567)**

CBA permit applicant: _____
 Agent for or representing: _____
 Mailing Address: _____ City: _____ ZIP: _____
 Telephone: _____ Cell: _____ Pager: _____
 Burn site address: _____
 Nearest cross road(s): _____
 City: _____ ZIP: _____
 Fire protection agency serving the burn site: _____
 Responsible party for burn: _____
 Burn site smoke management zone: _____ APN no: _____ Application date: _____
 Public Land Survey System: T _____ R _____ S _____

This permit is issued coordination with participating local, state and federal fire protection agencies and the North Coast Unified Air Quality Management District (AQMD).

PERMIT CONDITIONS: Burning is a privilege. The Permit is valid ONLY on the following conditions and ONLY on the dates specified:

1. Burning is permitted only with a valid CBA permit.
2. This permit must be in possession of the responsible party at the burn site. You must show this permit to a public officer upon request.
3. The responsible party or an assigned designee must be at the burn locations at all times during the burn.
4. This CBA permit is valid for one year from date of issuance , during the following period:
From: _____ To: _____
5. This Permit authorizes the burning of only the type of burning specified by the following checked boxes:
 - Residential vegetation waste originating on the property on which it is grown in heaps or piles no larger than 4'x 4' (no stumps). *Use of a burn barrel is prohibited.*
 - Residential waste consisting of approved combustibles and vegetation waste originating on the property, including non-glossy paper and cardboard and use of an approved burn barrel only in the unincorporated ZIP code or Fire Agency Jurisdiction _____.
 - Nonresidential burning by a commercial or public entity for:
 - Land clearing for construction/development
 - Wild land vegetation management
 - Fire hazard reduction by private party
 - Right of way clearance
 - Other: _____
 - Forest management
 - Agricultural crop
 - Range habitat improvement
 - Fire training
6. **BURN DAYS:** Burning is allowed only on permissible burn days, as determined by the AQMD. Burn day information is available 7 days a week from the burn line and participating local media. Daily before igniting any burn, the permittee is required to confirm burn day status in the approved burn zone for which this permit is issued, by called in the burn line phone number 1-866-BURN-DAY (1-866-287-6329). Burn day determination is generally available after 5pm the day prior to the burn, and always available after 8:30am the day of the burn.

BURN ZONES

- ZONE 1: Coastal Smoke Management Burn Zone
- ZONE 2: Lower Inland Smoke Management Burn Zone, including all areas BELOW 2000 feet elevation.
- ZONE 3: Upper Inland Smoke Management Burn Zone, including all areas ABOVE 2000 feet elevation.

Appendix B

- 7. LIMITATIONS ON BURNABLE MATERIALS:** Prohibited materials CANNOT be burned. Prohibited materials include: petroleum products, petroleum waste, coated wire, putrescible wastes, tires, tar, tar paper, non-natural wood wastes, processed or treated wood, processed or treated wood products, metals, motor vehicle bodies and parts, rubber, synthetics; plastics including plastic film, twine and pipe; fiberglass, Styrofoam, garbage, trash, refuse, rubbish, disposable diapers, ashes, glass, industrial wastes, boxes, crates, excelsior, offal, swill, carcass of dead animal, manure, human or animal parts or wastes (including blood, fecal and food-containing material), asbestos shingles, floor tiles, toxic fume-producing items, fireworks and other similar smoke-producing materials. Unless otherwise specifically authorized by the APCO, prohibited materials shall also include poison oak in or near any residence. Unless authorized by section 5 on this permit form, prohibited materials shall also include paper and cardboard.
- 8. FIRE SAFETY REQUIREMENTS**
- Responsible party shall have enough people present, including self, at the burn to ensure safety.
 - Do not burn unless weather conditions are safe (wind velocity less than 20mph during burning).
 - Area within ten (10) feet of the outer edge of pile must be clear of all flammable material.
 - Water supply must be at burn site and in sufficient quantity to control the fire.
 - NO BURNING BETWEEN _____ and _____.
 - Enter a check mark if Fire Agency permit requirements are attached: ____.
- 9. AIR QUALITY REQUIREMENTS**
- No burning shall occur when weather conditions cause any smoke from the burn to enter onto ANY adjacent property such as to create a nuisance or into residences where there are persons residing.
 - If burning began during accepted wind conditions but the conditions later turn unacceptable, further ignitions MUST immediately stop and the fire shall be extinguished to the extent practicable.
 - Burnable material must be dry, not covered with dirt, and arranged in a manner to increase air circulation so that smoke will be minimized.
 - Burn hour restrictions are **between 6:00 a.m. and 12:00 p.m.** on “permissible burn days” ONLY.
 - Fire must be out at end of burn hours.
 - NO BURNING ON A “NO-BURN DAY” to protect air quality.
- 10. ADDITIONAL CONDITIONS:** Attached to this permit and incorporated by reference are the following enforceable additional conditions which must be complied with.
- Residential Burn Conditions: Red Sheet**
 - Non-Residential Burn Conditions: Yellow Sheet**
 - Agricultural, Forest Management/ Wild Land Vegetation Management Conditions: Green Sheet**
- 11. FIRE PROTECTION AGENCIES:** No CBA permit is valid without identification of the fire protection agency serving the burn location. This burn location is served by the following fire protection agency (check box):
- | | |
|--|--|
| <input type="checkbox"/> Arcata Fire Department | <input type="checkbox"/> Humboldt Fire District No. 1 |
| <input type="checkbox"/> Eureka Fire Department | <input type="checkbox"/> California Division of Forestry at: _____ |
| <input type="checkbox"/> Crescent City Fire Department | <input type="checkbox"/> U.S. Forest Service _____ |
| <input type="checkbox"/> Other: _____ | |
- 12. THIS PERMIT IS VALID ONLY UPON PREPAYMENT OF THE REQUIRED PERMIT FEE.**

13. FIRE SAFETY INSPECTION REQUIREMENT(S):

- A fire safety inspection is NOT required by the fire protection fire agency:
- A fire safety inspection IS required by the fire protection fire agency. If this box is checked, **this permit is not valid without signed written approval** of the fire agency.

This burn site has been inspected and approved for ignition by:

Inspected by: _____ **Position:** _____

Date: _____

14. AGREEMENT BY APPLICANT FOR CBA PERMIT: *As the applicant for this burn permit, I understand and agree to all terms and conditions set forth, including each additional condition required pursuant to Condition 10 above. I certify the above information supplied is true and correct and that I am 18 years or older and am the legal owner of otherwise in legal control of the land where the burn is to occur. By signing the permit, I agree to comply with all terms and conditions of this permit. This permit must be on-site and presented to an enforcement officer upon request. This permit does not provide any additional right to entry on the permit holder's property which does not otherwise exist as law. I am liable for damages from fire and responsible for smoke impacts. I understand that violations are subject to penalties of the fire agency and the air quality district. I understand that violation of any Condition of this permit or violation of rules, regulations and open burning state law(s) is a misdemeanor. I understand that unlawful burning activity may be a felony, and subject to penalties of the fire agency(s) having jurisdiction at the burn site and the air quality district, and which may include the cost of putting out the fire and/or incarceration in jail.*

Signature _____ Title _____ Date _____

PERMIT VALIDATION STAMP: { _____ }

Appendix C

Fire Agency Report to the Air Quality Management District

Appendix C

FIRE AGENCY REPORT TO THE AIR QUALITY MANAGEMENT DISTRICT
(to be completed upon discovery of prohibited materials)

Incident date: _____ Time: _____ Incident #: _____ Fire #: _____

Responsible party (RP): _____ Phone: _____

Mailing address: _____

Incident location: _____

PROHIBITED MATERIALS involved in fire (please check):

- construction debris plastic furniture mattresses garbage
- petroleum products metal tires fiberglass
- other (please specify) _____ Pile size (approx): _____ W x _____ L x _____ H

Description and quantity of prohibited materials: _____

Extinguished by fire agency request? Yes No

Fire agency extinguished? Yes No

Will fire agency charge for suppression costs? Yes No Unknown

Recommend permit suspension? Yes No Not Applicable

Report compiled by: _____ Title: _____

Fire agency and station #: _____ Phone: _____

Please forward to: North Coast Unified AQMD
c/o Coordinated Burn Permit Authorization Program
2300 Myrtle St
Eureka, CA 95503

Questions?
(707) 443-3093. Mon - Fri, 8:30am - 12 noon and 1pm - 4:30pm. Ask for Officer of the Day.

Appendix D

Generic Burn Registration Form

Burn Registration / Smoke Management Plan

Name: _____ Date: _____

Contact person: _____ Phone: _____

Address: _____ Cell: _____

Signature of responsible person: _____

Burn Registration

Location: _____

Description of material to be burned: _____

Amount of material to be burned: _____

Type of burning: _____

Expected duration of fire: _____

Burn permit (issuing agency and # if applicable): _____

Smoke Management

Meteorological Prescription: Burn only on Permissive Burn Days. Burn Report 24 hour recording (707) 443-3091. Obtain authorization from the Air District (707) 443-3093 prior to ignition.

AIR DISTRICT USE ONLY	
Approved by _____	Date _____
Burn Authorization Number _____	Date _____

(continued)

What contingency actions are planned if smoke impacts occur to smoke sensitive areas?

Describe any actions that will be taken to minimize smoke emissions.

Describe public notification procedures to be used.

Identify smoke sensitive areas.

Instructions

Burn projects under 10 acres in size need only complete the Burn Registration portion of the application, although authorization is still required from the District prior to ignition. Burn projects greater than 10 acres in size must complete the entire Burn Registration/Smoke Management Plan. The application must be signed by the person responsible for the burn to be considered valid. Attach additional sheets if necessary, and complete the application as follows:

1. Give the legal description (township, range, sections) and the common placename for the burn site.
2. Describe the type of material to be burned (grass, redwood logging slash, mixed conifer understory, etc.)
3. Give an estimate of the total acreage and/or tons of material to be burned - if pile burning the amount of acreage the material in the pile came from and the number of piles.
4. Describe the burning method to be used (broadcast, piles, etc.).
5. Give an estimation of how long the fire will be burning, either in hours or days. If the fire will be burning over the evening hours please indicate this.
6. Enter the name of the agency that has issued a burn permit for this burn, and the permit number if there is one.
7. Provide a detailed meteorological prescription that **must** be met to proceed with this fire. 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 forecast and any other meteorological condition which may affect smoke dispersion and/or fire behavior.
8. Describe what actions will be taken if smoke from this fire unexpectedly impacts smoke sensitive areas. This may include the ability to extinguish the fire with equipment on hand, or with assistance from a fire protection agency.

9. Enter what pre-treatment methods have been used to minimize smoke emissions and/or reduce fuel loading. Include any alternatives to burning that have been considered and to what extent they were used.
10. Describe what notification procedures are to be used to make sure the public is aware of the planned burn (examples include media announcement, road signs, flyers, etc.)
11. Sensitive areas include any towns and/or major roads within a radius of 5 miles that could be impacted by smoke from the burn project. For burn projects over 100 acres, a map showing sensitive areas within a radius of 20 miles from the burn site and the expected direction of smoke travel is required.

General

This application must be submitted to the Air District office prior to the day of planned burning. Submittal of an application cannot be considered as permission to proceed with a burn, nor does submittal of an application relieve you from complying with any rules or regulations of any other government agency. A permit to burn is required from a designated agency. **Prior to ignition, authorization to proceed must be obtained from the District Burn Authorization Officer (707) 443-3093.** Any burning that must take place on a designated No-Burn Day must obtain a variance from the District. Failure to follow the conditions outlined in this application, or to obey any District rule or regulation, is a violation and may result in enforcement action.

Appendix E

North Coast Fuels Management Cooperative Agreement

SMOKE MANAGEMENT PLAN FOR THE NORTH COAST FUELS MANAGEMENT COOPERATIVE (NCFMC)

PLAN PARTICIPANTS: Barnum Timber Company, Natural Resource Management Corporation, Simpson Resource Company, Scotia Pacific Holding Company, Sierra Pacific Industries, Western Timber Services Inc. and the California Department of Forestry and Fire Protection (CDF&FP, Humboldt-Del Norte Ranger Unit).

EFFECTIVE AREA OF PLAN: The Humboldt Bay Air Basin (HBAB). At their discretion, participants will also adhere to provisions of this plan when burning in areas adjacent to the Basin when such burns might directly affect communities within the Basin.

EFFECTIVE DATES:

OBJECTIVES: To minimize the impact of smoke from slash burns on communities in the Humboldt Bay Air Basin, while assuring:

- A. Adequate preparation of timber harvest areas for planting of conifer seedlings to insure future timber crops and meet reforestation standards mandated by state law.
- B. Effective reduction of the wildfire hazard and attendant risk to public safety resulting from accumulations of woody debris following timber harvesting.

PROCEDURES

- A. Forecast information will be requested from appropriate agencies during periods of time when significant burning activity will take place. On the morning of any planned burn that is close to communities within the HBAB, cooperators will call the Air Resource Board duty meteorologist and/or the National Weather Service to obtain and update on forecast smoke dispersal conditions.
 - B. As a further check on local wind conditions, Cooperators should release a helium balloon prior to ignition of any burns that are within 5 miles of any communities in the HBAB, or light a small test fire that can be safely contained or extinguished if smoke dispersal from this fire indicates that conditions are not suitable for continued ignition.
- I. **Construct an information base.** Cooperators will meet during August to map fall burn locations, and will assign an ID number to each burn.
 - II. **Provide public notification.** Cooperators will inform appropriate local radio stations of the general location of any burns near communities within the HBAB so that this information can be broadcast on the morning of the burn.
 - III. **Cooperators will individually notify the Air Pollution Control Officer of the location of all burning activity**

IV. Adjust timing of burns and method of ignition to minimize smoke impacts and fire control problems

- A.** Burning will be avoided, especially where sensitive areas (e.g. communities, parks, public roads) could be impacted, when a combination of negative conditions exist. These negative conditions include, but are not limited to:
 - 1. Forecast nighttime low temperatures that are likely to result in surface inversions.
 - 2. Close proximity to sensitive areas.
 - 3. Unfavorable direction of surface/transport winds.
 - 4. High inversion temperature potential, as indicated by that morning's temperature sounding flight data.
 - 5. A high likelihood of fuel smoldering, based on the size of fuel to be ignited and an assessment of fuel moisture conditions.
 - 6. Poor dispersal conditions predicted for the following day(s).
- B.** Every reasonable effort will be made to ignite burns as early as possible in the day to take advantage of mid-day atmospheric mixing. No burns will be initiated after 2pm unless prior consultation has occurred with the Air Quality Management District staff.
- C.** Where conditions allow, burning in the spring will be favored over burning in the fall.
- D.** Use of more effective ignition techniques, such as the heli-torch or other systems currently under development, will be favored so that more rapid ignition can occur and smoldering time can therefore be decreased.

EDUCATION FOR PLAN PARTICIPANTS

- I.** Additional training will be requested from appropriate providers regarding interpretation of meteorological data, especially as it related to fire weather and smoke management.
- II.** Alternatives to burning that have the potential of economically achieving the objectives of this plan will be pursued.
- III.** Due to their proximity to major population centers and the potential for down-slope smoke movement resulting from evening temperature inversions, Simpson Timber Company will not burn in its McKinleyville, Arcata Bay or Fortuna tracts in the fall unless the Air Pollution Control Officer agrees that conditions are appropriate to do so.