

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 2-91)

AGENCY

Air Resources Board

AGENCY FILE NUMBER (if any)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER	PREVIOUS REGULATORY ACTION NUMBER
	296-0402-10	97-0307-018		

For use by Office of Administrative Law (OAL) only

96 APR -2 PM 4: 51

OFFICE OF ADMINISTRATIVE LAW  
RECEIVED FOR FILING

APR 02 '96

NOTICE

97 MAR -7 PM 3: 14

OFFICE OF ADMINISTRATIVE LAW

PUBLICATION DATE

APR 12 '96

REGULATIONS

ENDORSED FILED IN THE OFFICE OF

97 APR -8 PM 3: 36

Bill Jones  
BILL JONES  
SECRETARY OF STATE

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. TOPIC OF NOTICE	Air Basin Boundaries and Related Agricultural Burning Regulations	TITLE(S)	17	FIRST SECTION AFFECTED	60104	2. REQUESTED PUBLICATION DATE	April 12, 1996
3. NOTICE TYPE	<input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	Judith G. Tracy		TELEPHONE NUMBER	(916) 322-2884	
OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	96, 152		PUBLICATION DATE	4/12/96	
	<input checked="" type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn						

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics-related)

TITLE(S)	ADOPT	17	Sections 60114, 80311
SECTIONS AFFECTED	AMEND		Sections 60104, 60109, 80280
	REPEAL		

2. TYPE OF FILING

Regular Rulemaking (Gov. Code, § 11346)  Resubmittal  Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100)  Emergency (Gov. Code, § 11346.1(b))

Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Government Code §§ 11346.4 - 11346.8 prior to, or within 120 days of, the effective date of the regulations listed above.

Print Only  Other (specify)

3. DATE(S) OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §§ 44 and 45) N/A

4. EFFECTIVE DATE OF REGULATORY CHANGES (Gov. Code § 11346.2)

Effective 30th day after filing with Secretary of State  Effective on filing with Secretary of State  Effective other (Specify)

5. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399)  Fair Political Practices Commission  State Fire Marshal

Other (Specify)

6. CONTACT PERSON

Judith G. Tracy, Staff Counsel

TELEPHONE NUMBER

(916) 322-2884

7.

I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE

March 7, 1997

TYPED NAME AND TITLE OF SIGNATORY

Michael P. Kenny, Executive Officer

# FINAL REGULATION ORDER

## TEXT OF ADOPTED AMENDMENTS TO THE AIR BASIN BOUNDARY REGULATIONS, TITLE 17, CALIFORNIA CODE OF REGULATIONS

(Additions are shown as underlined italics and deletions are shown as ~~strikeout~~)

Amend Sections 60104 and 60109 and add new Section 60114, Title 17, California Code of Regulations, to read as follows:

Section 60104.  
South Coast Air Basin.

(a) All of Orange County

(b) That portion of Riverside County which lies west of a line described as follows:

Beginning at the Riverside-San Diego County boundary and running north along the range line common to R. 4 E and R. 3 E; then east along the township line common to T. 8 S and T. 7 S; then north along the range line common to R. 5 E and R. 4 E; then west along the township line common to T. 6 S and T. 7 S to the southwest corner of Section 34, T. 6 S, R. 4 E; then north along the west boundaries of Sections 34, 27, 22, 15, 10, 3, T. 6 S, R. 4 E; then west along the township line common to T. 5 S and T. 6 S; then north along the range line common to R. 4 E and R. 3 E; then west along the south boundaries of Sections 13, 14, 15, 16, 17 and 18, T. 5 S, R. 3 E; then north along the range line common to R. 2 E and R. 3 E; ~~then west along the township line common to T. 4 S and T. 3 S to the intersection with the southwest boundary of partial Section 31, T. 3 S, R. 1 W, then northwest along that line to the intersection with the range line common to R. 2 W and R. 1 W; then north to the Riverside-San Bernardino County line.~~

(c) That portion of San Bernardino County west and south of a line described as follows:

Beginning at the San Bernardino-Riverside County boundary and running north along the range line common to R. 3 E and R. 2 E; then west along the township line common to T. 3 N and T. 2 N to the San Bernardino-Los Angeles County boundary; also included is that portion of Los Angeles County which lies south and west of a line described as follows: beginning at the Los Angeles-San Bernardino County boundary and running west along the township line common to T. 3 N and T. 2 N; then north along the range line common to R. 8 W and R. 9 W; then west along the township line common to T. 4 N and T. 3 N; then north along the range line common to R. 12 W and R. 13 W to the southeast corner of Section 12, T. 5 N; R. 13 W; then west along the south boundaries

of Sections 12, 11, 10, 9, 8, 7, T. 5 N, R. 13 W to the boundary of the Angeles National Forest which is collinear with the range line common to R. 13 W and R. 14 W; then north and west along the Angeles National Forest boundary to the point of intersection with the township line common to T. 7 N and T. 6 N (point is at the northwest corner of Section 4 in T. 6 N, R. 14 W); then west along the township line common to T. 7 N and T. 6 N; then north along the range line common to R. 15 W and R. 16 W to the southeast corner of Section 13, T. 7 N, R. 16 W; then along the south boundaries of Sections 13, 14, 15, 16, 17, 18, T. 7 N, R. 16 W; then north along the range line common to R. 16 W and R. 17 W to the north boundary of the Angeles National Forest (collinear with township line common to T. 8 N and T. 7 N); then west and north along the Angeles National Forest boundary to the point of intersection with the south boundary of the Rancho La Liebre Land Grant; then west and north along this land grant boundary to the Los Angeles-Kern County boundary.

(d) That portion of Los Angeles County which lies south and west of a line described as follows:

Beginning at the Los Angeles-San Bernardino County boundary and running west along the township line common to T. 3 N and T. 2 N, San Bernardino Base and Meridian; then north along the range line common to R. 8 W and R. 9 W; then west along the township line common to T. 4 N and T. 3 N; then north along the range line common to R. 12 W and R. 13 W to the southeast corner of Section 12, T. 5 N, R. 13 W; then west along the south boundaries of Sections 12, 11, 10, 9, 8, 7, T. 5 N, R. 13 W to the boundary of the Angeles National Forest which is collinear with the range line common to R. 13 W and R. 14 W; then north and west along the Angeles National Forest boundary to the point of intersection with the township line common to T. 7 N and T. 6 N (point is at the northwest corner of Section 4 in T. 6 N, R. 14 W); then west along the township line common to T. 7 N and T. 6 N; then north along the range line common to R. 15 W and R. 16 W to the southeast corner of Section 13, T. 7 N, R. 16 W; then along the south boundaries of Sections 13, 14, 15, 16, 17, 18, T. 7 N, R. 16 W; then north along the range line common to R. 16 W and R. 17 W to the north boundary of the Angeles National Forest (collinear with township line common to T. 8 and T. 7 N) then west and north along the Angeles National Forest boundary to the point of intersection with the south boundary of the Rancho La Liebre Land Grant; then west and north along this land grant boundary to the Los Angeles-Kern County boundary.

NOTE: Authority cited: Sections 39601 and 39606.1, Health and Safety Code. Reference: Sections 39001, 39606(a), 39606.1, and 40410, Health and Safety Code.

Section 60109.  
~~Southeast Mojave Desert~~ Air Basin.

~~(a) All of Imperial County~~

(~~b~~) That portion of Riverside County which lies east of a line described as follows:

That segment of the southwestern boundary line of Hydrologic Unit Number 18100100 within Riverside County<sup>1</sup>, further described as follows:

Beginning at the Riverside-San Diego-~~Imperial~~ County boundary and running north along the range line common to R. 4 E. and R. 3 E., San Bernardino Base and Meridian; then east along the township line common to T. 8 S. and T. 7 S.; then north along the range line common to R. 5 E. and R. 4 E.; then west along the township line common to T. 6 S. and T. 7 S. to the southwest corner of Section 34, T. 6 S., R. 4 E.; then north along the west boundaries of Sections 34, 27, 22, 15, 10, 3, T. 6 S., R. 4 E.; then west along the township line common to T. 5 S. and T. 6 S.; then north along the range line common to R. 4 E. and R. 3 E.; then west along the south boundaries of Sections 13, 14, 15, 16, 17 and 18, T. 5 S., R. 3 E.; then north along the range line common to R. 2 E. and R. 3 E.; then west along the township line common to T. 4 S. and T. 3 S. to the intersection with the southwest boundary of partial Section 31, T. 3 S., R. 1 W.; then northwest along that line to the intersection with the range line common to R. 2 W. and R. 1 W.; then north R. 17 E. and R. 16 E., San Bernardino Base and Meridian; then northwest along the ridge line of the Chuckwalla Mountains, through T. 8 S., R. 16 E. and T. 7 S., R. 16 E., until the Black Butte Mountain, elev. 4504'; then west and northwest along the ridge line to the southwest corner of T. 5 S., R. 14 E.; then north along the range line common to R. 14 E. and R. 13 E.; then west and northwest along the ridge line to Monument Mountain, elev. 4834'; then southwest and then northwest along the ridge line of the Little San Bernardino Mountains to Quail Mountain, elev. 5814'; then northwest along the ridge line to the Riverside-San Bernardino County line.

(eb) That portion of San Bernardino County east and north of a line described as follows:

Beginning at the San Bernardino-Riverside County boundary and running north along the range line common to R. 3 E. and R. 2 E., San Bernardino Base and Meridian; then west along the township line common to T. 3 N. and T. 2 N. to the San Bernardino-Los Angeles County boundary.

(ec) That portion of Los Angeles County which lies north and east of a line described as follows:

Beginning at the Los Angeles-San Bernardino County boundary and running west along the township line common to T. 3 N. and T. 2 N., San Bernardino Base and Meridian; then north along the range line common to R. 8 W. and R. 9 W.; then west along the township line common to T. 4 N. and T. 3 N.; then north along the range line common to R. 12 W. and R. 13 W. to the southeast corner of Section 12, T. 5 N., R. 13 W.; then west along the south boundaries of Sections 12, 11, 10, 9, 8, 7, T. 5 N., R. 13 W. to the boundary of the Angeles National Forest which is collinear with the range line common to R. 13 W. and R. 14 W.; then north and west along the Angeles National Forest boundary to the point of intersection with the township line common to T. 7 N. and T. 6 N. (point is at the northwest corner of Section 4 in T. 6 N., R. 14 W.); then west along the township line common to T. 7 N. and T. 6 N.; then north along the range line common to R. 15 W. and R. 16 W. to the southeast corner of Section 13, T. 7 N., R. 16 W.; then along the south boundaries of Sections 13, 14, 15, 16, 17, 18, T. 7 N., R. 16 W.; then north along the range line common to R. 16 W. and R. 17 W. to the north boundary of the Angeles National Forest (collinear with township line common to T. 8 N. and T. 7 N.) then west and north along the Angeles National Forest boundary to the point of

intersection with the south boundary of the Rancho La Liebre Land Grant; then west and north along this land grant boundary to the Los Angeles-Kern County boundary.

(ed) That portion of Kern County east and south of a line described as follows:

Beginning at the Kern-Los Angeles County boundary and running north and east along the northwest boundary of the Rancho La Liebre Land Grant to the point of intersection with the range line common to R. 16 W. and R. 17 W., San Bernardino Base and Meridian; north along the range line to the northwest corner of S. 19, T. 11 N., R. 16 W.; then northwest along the northeast boundary of the Rancho El Tejon Land Grant to the southeast corner of S. 33, T. 12 N., R. 17 W., San Bernardino Base and Meridian; then west and north to include all of S. 33, T. 12 N., R. 17 W.; then northwest along the Rancho El Tejon line to the southwest corner of S. 35, T. 32 S., R. 30 E.; then north to the northwest corner of S. 35, T. 31 S., R. 30 E.; then northeast along the boundary of the Rancho El Tejon Land Grant to the northwest corner of S. 19, T. 31 S., R. 31 E.; then east to the southwest corner of S. 18, T. 31 S., R. 32 E.; then north along the range line common to R. 31 E. and R. 32 E. to the northwest corner of S. 6, T. 29 S., R. 32 E.; then east to the southwest corner of S. 31, T. 28 S., R. 32 E.; then north along the range line common to R. 31 E., and R. 32 E. to the Kern-Tulare County boundary.

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4. Hydrologic Unit Map, 1978, State of California (Southern Half), Department of the Interior, Geological Survey, Reston, Virginia (Reprinted 1987), incorporated by reference herein.

NOTE: Authority cited: Sections 39601 and 39606.1, Health and Safety Code. Reference: Sections 39001, and 39606(a), and 39606.1, Health and Safety Code.

Section 60114.  
Salton Sea Air Basin.

(a) All of Imperial County

(b) That portion of Riverside County which lies east of a line described as follows:

Beginning at the Riverside-San Diego County boundary and running north along the range line common to R. 4 E and R. 3 E; then east along the township line common to T. 8 S and T. 7 S; then north along the range line common to R. 5 E and R. 4 E; then west along the township line common to T. 6 S and T. 7 S to the southwest corner of Section 34, T. 6 S, R. 4 E; then north along the west boundaries of Sections 34, 27, 22, 15, 10, 3, T. 6 S, R. 4 E; then west along the township line common to T. 5 S and T. 6 S; then north along the range line common to R. 4 E and R. 3 E; then west along the south boundaries of Sections 13, 14, 15, 16, 17 and 18, T. 5 S, R. 3 E; then north along the range line common to R. 2 E and R. 3 E to the Riverside-San Bernardino County line;

and west of a line described as follows:

That segment of the southwestern boundary line of Hydrologic Unit

Number 18100100 within Riverside County<sup>1</sup>, further described as follows:  
Beginning at the Riverside-Imperial County boundary and running north  
along the range line common to R. 17 E. and R. 16 E., San Bernardino  
Base and Meridian; then northwest along the ridge line of the  
Chuckwalla Mountains, through T. 8 S., R. 16 E. and T. 7 S., R. 16 E.,  
until the Black Butte Mountain, elev. 4504'; then west and northwest  
along the ridge line to the southwest corner of T. 5 S., R. 14 E.;  
then north along the range line common to R. 14 E. and R. 13 E.; then  
west and northwest along the ridge line to Monument Mountain,  
elev. 4834'; then southwest and then northwest along the ridge line of  
the Little San Bernardino Mountains to Quail Mountain, elev. 5814';  
then northwest along the ridge line to the Riverside-San Bernardino  
County line.

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<sup>1</sup> Hydrologic Unit Map, 1978, State of California (Southern Half),  
Department of the Interior, Geological Survey, Reston, Virginia  
(Reprinted 1987), incorporated by reference herein.

NOTE: Authority cited: Sections 39601 and 39606.1, Health and Safety  
Code. Reference: Sections 39001, 39606(a), 39606.1, Health and Safety  
Code.

TEXT OF  
ADOPTED AMENDMENTS TO THE  
AGRICULTURAL BURNING REGULATIONS,  
TITLE 17, CALIFORNIA CODE OF REGULATIONS

(Additions are shown as underlined/italics and deletions are shown as ~~strikeout~~)

Amend Section 80280 and add new Section 80311, Title 17, California Code of Regulations, to read as follows:

**Section 80280.**

~~Southeast Desert~~ Salton Sea Air Basin.

And that portion of the San Diego Air Basin which lies east of a line beginning at the U.S.-Mexico border and running north along the range line common to R.7E and R.6E. San Bernardino Base and Meridian: to the southeast corner of T.16S. R.6E; then west along the township line common to T.16S and T.17S to the southwest corner of T.16 S. R.6E; then north along the range line common to R.6E and R.5E to the southeast corner of T.14S. R.5E; then west along the township line common to T.14S and T.15 S to the point of intersection with the east boundary of Cuyamaca Park; then north along the east boundary of Cuyamaca Park to the point of intersection with the range line common to R.5E and R.4E; then north along this range line to the point of intersection with the south boundary of the San Felipe Land Grant; then east and north along the land grant boundary to the easternmost corner: then continuing west and north along the land grant boundary to the point of intersection with the range line common to R.5E and R.4E; then north along this range line to the point of intersection with the township line common to T.10S and T.9S; then west along this township line to the point of intersection with the range line common to R.4E and R.3E: then north along this range line to the San Diego-Riverside County boundary.

(a) A permissive-burn day will be declared when at least three of the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(2) The expected temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(4) The expected daytime wind direction in the mixing layer is not southeasterly.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location

relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: Sections 39600, 39601, 41856 and 41859, Health and Safety Code. Reference: Sections 41854, 41855, 41856, 41857, 41859 and 41863, Health and Safety Code.

Section 80311.  
Mojave Desert Air Basin.

(a) A permissive-burn day will be declared when the following criteria are met:

(1) Near the time of day when the surface temperature is at a minimum, the temperature at 3,000 feet above the surface is not warmer than the surface temperature by more than 13 degrees Fahrenheit.

(2) The expected temperature at 3,000 feet above the surface is colder than the expected surface temperature by at least 11 degrees Fahrenheit for 4 hours.

(3) The expected daytime wind speed at 3,000 feet above the surface is at least 5 miles per hour.

(b) There are special situations, as specified in subdivision (c) of Section 80110, when burning control notices for certain specific burning operations may be issued up to 48 hours in advance. In such a case, the criteria used will be a modification of the above criteria so as to give consideration to the specific site and its location relative to populous areas, the stated amount of material to be burned, and the expected impact that the burn will have on air quality.

NOTE: Authority cited: Sections 39600, 39601, 41856 and 41859, Health and Safety Code. Reference: Sections 41854, 41855, 41856, 41857, 41859 and 41863, Health and Safety Code.