NORTHERN SONOMA COUNTY
AIR POLLUTION CONTROL DISTRICT

Open Burning
&
Smoke Management Program

Submitted to the California Air Resources Board, June 26, 2001

CONTENTS

Introduction 1

Authority 1

Program Applicability 1

Permits 2
- Agricultural Burning
- Prescribed Burning
- Nonagricultural Burning

Burn Authorization 3
- General Authorization
- Specific Authorization
- Forecasts

Smoke Management 4
- Plans
- Prescriptions
- Monitoring

Notification 5

Enforcement 6

Meteorology and Air Monitoring 6

Additional Program Resources 6

Appendix 1: NSCAPCD Regulation 2, Open Burning

Appendix 2: NSCAPCD Regulation 2, Rule 300, Fees

Appendix 3: NSCAPCD Open Burning and Smoke Management Program Interim Policy

Appendix 4: Forms

Introduction

The Northern Sonoma County Air Pollution Control District (NSCAPCD, or the District) is part of the North Coast Air Basin, immediately to the North of the Bay Area Air Quality Management District. The District encompasses all of the Sonoma County coast, the lower Russian River Valley, the portion of the County north of Windsor (including the Dry Creek and Alexander Valleys), and the Sonoma County Geysers Known Geothermal Resource Area. The area is rural, with two small incorporated cities (approximate population of 10,000, each). Unincorporated areas are primarily agricultural and open space, with some forested areas where timber is harvested. The topography is a mix of coastline, coastal mountains, and valleys, which include open grasslands, vineyards and orchards, chaparral, and redwood forests.

The Northern Sonoma District is currently in attainment for the federal ambient air quality standards for particulate matter (PM_{10}), and is classified as nonattainment for the state standard. In recent years, measured levels of PM_{10} have been generally below, or only slightly above the state standard of 50 ppm. The District has regulated open burning since 1976. In response to changes to the California Code of Regulations (CCR) Title 17, Section 80100, et. Seq., the District has revised its open burning program. The program, as revised, is implemented through regulation, policy, and permit conditions.

Authority

The District is authorized and required to establish a program to reduce the smoke impacts from open burning, in accordance with guidelines established by the Air Resources Board (ARB), under the California Health and Safety Code (H&SC), Section 41863. District Regulation 2, Open Burning, was established in accordance with this requirement.

The ARB revised its guidance, as set forth in CCR Title 17, Section 80100 et Seq. (effective March 14, 2001), to require enhanced procedures for smoke management. On April 24, 2001, the NSCAPCD Board of Directors approved the Open Burning and Smoke Management Program Interim Policy (Interim Policy), which sets forth specific procedures for enhanced smoke management under District Regulation 2. This policy implements existing provisions of Regulation 2 which provide for the Air Pollution Control Officer (APCO) to prohibit open burning if he/she finds that the smoke from such burning may cause or contribute to an exceedance of an ambient air quality standard or a public nuisance (ref. Reg. 2, Section 401.11).

Certain requirements of the District's Open Burning Program are implemented through permit terms and conditions. Under CCR Title 17, Section 80120(a), permits are required, and violations of all terms and conditions are enforceable under H&SC Section 41852.

Program Applicability

All open burning in the Northern Sonoma District is subject to Regulation 2 and the Interim Policy, except fires used for cooking food for human consumption, and fires set by public officials for the purposes described in H&SC Section 41801, as specifically itemized under District Regulation 2, Section 102. The program regulates burning done

for agricultural purposes in the growing of crops or the raising of animals, for the purposes of range, habitat, vegetation, and wildland management, and residential backyard burning. Enhanced smoke management provisions of the Interim Policy became effective on May 1, 2001 for agricultural burning, including prescribed burning. Nonagricultural burning will be subject to the provisions of the interim policy on May 1, 2002.

Permits

All open burning subject to District Regulation 2 must be done in accordance with a valid District Burn Permit. Burn Permits are issued for different classifications of Agricultural, Prescribed, and Nonagricultural Burning. Classifications are as follows:

Agricultural Burning Classifications (A1 – A3):

A1, Agricultural Burning, General – The use of open burning to dispose ONLY of cut brush and small amounts of crop waste resulting from incidental loss due to disease or pests. This classification excludes Crop Removal and Prescribed Burning (see definitions below).

A2, Agricultural Burning, Pruning Waste – The use of open burning to dispose of the prunings or clippings from orchards, vineyards and other similar material, and brush from field maintenance. This classification excludes Crop Removal and Prescribed Burning (see definitions below).

A3, Agricultural Burning, Crop Removal – The use of open burning to dispose of waste material following the removal of all or part of an established crop, including removal for the purposes of crop replacement, rotation, or disease or pest control.

Prescribed Burning Classifications (P0 – P4):

P0, Prescribed Burning, Exempt – Any Prescribed Burning where all the material to be burned originates on less than three total aggregated acres of land.

P1, Prescribed Burning, Range Management – The use of Prescribed Burning to maintain or improve range and pasture lands for the raising of livestock, and/or to establish an agricultural practice on previously untilled lands.

P2, Prescribed Burning, Forest Management – The use of Prescribed Burning as part of a forest management practice to remove forest debris or for forest management practices which include timber operations, silvicultural practices, or forest protection.

P3, Prescribed Burning, Wildlife Habitat Management – The use of Prescribed Burning to maintain or improve habitat for wildlife or game.

P4, Prescribed Burning, Wildland Vegetative Management – The use of Prescribed Burning to manage vegetative growth in wildland areas. Wildland is an area where development is generally limited to roads, railroads, power lines, and widely scattered structures. Such land is not cultivated, is not fallow, and is not in the United States Department of Agriculture (USDA) Conservation Reserve Program. Exclusively for the purposes of the California Department of Forestry, wildland is specified in California Public Resources (PRC) section 4464(a).

Nonagricultural Burning Classifications (N1 – N3):

N1, Nonagricultural Burning, Residential – The use of open burning to dispose of approved combustible materials from a single or two-family dwelling on its premises.

N2, Nonagricultural Burning, Property Development – The use of open burning to dispose of approved combustible materials cleared in the preparation of land for residential commercial or industrial development.

N3, Nonagricultural Burning, Public Entity – The use of open burning conducted by a public entity to dispose of approved combustible materials cleared in the maintenance of a public Right of Way, ditch, levee, or reservoir.

Permits are obtained by submitting a completed application form and payment to the District, either in person or by mail. Applicants for Prescribed Burning permits, other than classification P0, must submit a supplemental application form, and, if applicable, a Smoke Management Plan. Once the application has been reviewed and approved, the information is entered into a database. The database assigns appropriate coding to the permit, including a permit number, the classification, the zone location, a color code, and the name of the fire protection agency with jurisdiction. The permit is issued in the form of a validation sticker that is about the size of a mailing label. The label is affixed to the fire safety permit issued by the fire protection agency; a duplicate sticker is provided to the agency for their records. In some cases the District is the issuing agent for the fire protection permit. Permits may be renewed by mail.

Under the Interim Policy, the terms of the approved Smoke Management Plan are incorporated by reference, including the Smoke Management Prescription and any Smoke Monitoring requirements.

Until May 1, 2002, Nonagricultural Burning classifications are not subject to enhanced smoke management provisions. During this period, a burn permit with combined air quality and fire safety requirements may be obtained either from the District or the local fire protection agency, and no payment of fees is required.

Burn Authorization

Any person proposing to conduct open burning who holds a valid burn permit from the District, must obtain all authorizations required by the permit to conduct the burn on the day of ignition, including:

General Authorization- Any person proposing to conduct open burning must first obtain a general authorization to burn on the day of ignition, subject to the procedures of the Interim Policy. General authorization is posted on the District's Burn Information Line; the burn is authorized if it is a Permissive Burn Day. The general authorization may only allow for limited burning, and if so will indicate which burns may proceed, based on color coding of the burn permit, and/or burn region as indicated on the burn permit. This may be done if the ARB determines it is a Marginal Burn Day, or if District staff determine that local conditions require limits on the type, quantity, or location of materials burned in order to minimize smoke impacts. The Burn Information Line will not specifically use the term "Marginal Burn Day." Instead, the term "Restricted Burn Day" will be used, and the message will note which permit codes have received authorization to burn. The Burn Information Line is also the used to notify burners and the public when the fire protection agencies have banned burning for fire safety reasons, and when ARB has declared a "No Burn Day."

Specific Authorization- Any person proposing to conduct Agricultural Burning in Classification A3, or Prescribed Burning in Classifications P1 through P4, must obtain specific authorization from the District for the burn project on the day of ignition, subject to the procedures of the Interim Policy. During peak fall burn periods, Burn Permits with Classification A3 are registered with the District and placed on a waiting list in the order received. Individual burns are authorized based on the location, type, and quantity of material to be burned, in consideration of existing ambient conditions and smoke loading from other burns authorized in the area. When smoke loading is low, A3 burns are authorized if it is a Permissive Burn Day. Prescribed burns are authorized in accordance with the conditions of the Smoke Management Prescription, and also considering the location, type, and quantity of material to be burned, and ambient conditions and smoke loading. Authorizations are posted on the District's Burn Project Update Line, which has a separate phone number from the Burn Information Line.

Forecasts- Forecasts are optional. Due to the generally small number of Prescribed Burns, the District will communicate forecasts, outlooks, and trends, by telephone and on request.

Smoke Management

Plans- All applicants for non-exempt Prescribed Burning Permits (P1-P4) must submit a Smoke Management Plan. The SM Plan must contain information about the location, type and amount of material to be burned, and the location of smoke sensitive receptors. It must identify the expected duration of the fire from ignition to extinction, the responsible personnel (including phone numbers), and any other information requested by the District.

Prescriptions- Based on a review of this information, the District designates the burn a Class 1, 2, or 3, depending on the likelihood of smoke impacts. Class 1 Burns, those that are unlikely to result in smoke impacts, are not required to submit additional Smoke Management Prescriptions or conduct Smoke Monitoring. Class 2 and 3 Burns require Smoke Management Prescriptions to minimize the likelihood of impacts. A Smoke Management Prescription must include the following information:

1. Identification of meteorological conditions necessary for burning;
2. The smoke management criteria the land manager or his/her designee will use for making burn ignition decisions;
3. Projections (including a map) of where the smoke from burns is expected to travel, both day and night;
4. Specific contingency actions (such as fire suppression or containment) that will be taken if smoke impacts occur or meteorological conditions deviate from those specified in the smoke management plan;
5. An evaluation of alternatives to the burn project being considered. If an analysis of alternatives has been prepared as part of existing environmental documentation (such as analyses under the National Environmental Policy Act or the California Environmental Quality Act, if applicable) the analysis may be or referenced; and
6. Discussion of public notification procedures.

Monitoring- Burns with the highest potential for significant smoke impacts (Class 3) also require Smoke Monitoring. Smoke monitoring may include visual monitoring, mobile monitoring, ambient particulate matter monitoring or other monitoring approved by the District.

Notification

In general, large-scale smoke impacts do not occur from the types of Agricultural Burning (other than Prescribed Burning) that typically take place in the Northern Sonoma District. The only exception would be with Classification A3, Crop Removal. All non-exempt Prescribed Burns, and A3 Burns during peak periods, are individually reviewed and authorized. Because the number of burns with the potential for cross-jurisdictional smoke impacts is small, notification is handled informally with a phone call. Where the potential for smoke impacts is significant, neighboring districts are notified when the burn request is made, when a potential date is selected, and upon final authorization. General public notification is required as part of the Smoke Management Plan, commensurate with the potential for impacts. It may include posting of signs, notification in news media, and in some cases, individual notification of smoke sensitive receptors by phone.

Enforcement

The District has three full-time air quality specialists, whose duties include implementation and enforcement of the open burning program. Subject to the constraints of staff time and availability, District staff conduct on-site inspections of a representative number of agricultural and prescribed burns each year. Burns with a higher potential for smoke impacts (for example, Prescribed Burns of Class 2 or 3) receive priority for inspections. Virtually all Class 3 burns are inspected.

All burn complaints are investigated. To the extent feasible, this includes visual verification and on-site inspection of the burn. In circumstances where burns are not accessible to District staff, or where other constraints prohibit a site visit, investigations are carried out in conjunction with the local fire protection agency having jurisdiction.

If unacceptable smoke impacts are verified by District staff, the burner is notified and contingency measures are required. If possible, this includes suppression. Violations of Regulation 2, the Interim Policy, and the terms and conditions of burn permits (including Smoke Management Plans and Prescriptions) are subject to the same enforcement procedures as other District requirements. Where feasible, violations are handled under the District's Mutual Settlement Policy. If this is not possible, they are referred to the Sonoma County District Attorney for prosecution. The District Attorney has a Deputy dedicated to Environmental and Consumer Affairs and they have never declined a case referred by us.

Meteorology and Air Monitoring

In reviewing applications for burn permits, and determining burn authorizations, the District relies on information from its own network of monitors, forecasts by the ARB, and information available over the internet. Where appropriate, meteorology and ambient conditions in neighboring air districts (the Bay Area AQMD to the south, Lake County to

the east, and Mendocino County to the north) are considered. In certain circumstances, the District has required the burner to locate on-site meteorology, and consult with a meteorologist approved by the District.

The District operates batch and continuous particulate monitors. High-volume SSI PM_{10} samplers are currently located in Cloverdale, Healdsburg, South of Healdsburg (Limerick Lane), Forestville, and Guerneville. The District operates an additional sampler for the County of Sonoma in Petaluma (in the Bay Area AQMD). Tapered element oscillating microbalance (TEOM) monitors are located in Cloverdale and at Limerick Lane to provide real-time data. A beta-attenuated monitor (BAM) has been sited in Forestville (on loan from ARB), but is not yet operational. On-line data about wind speed, direction, temperature, etc., is available from the Cloverdale, Limerick Lane, and Petaluma sites. In addition, an approved 10 meter met tower is located at the Healdsburg airport, and additional towers are underway for Forestville and Cloverdale.

The District accesses additional meteorological information primarily from the Sacramento FireWeather Forecast for the North Central Coast, but also from Sonoma County RAWs sites when appropriate (especially within the Geysers KGRA). A temperature profiler located at Bodega Bay was recently discontinued; future replacement of this resource is important, to the extent it is feasible.

Additional Program Resources

In order to address future program needs, the District Board of Directors approved new fees for burn permits. Depending of funding availability, the District plans to add mobile sampling, and GIS and GPS capability for locating and enforcing burns. The District is also exploring collaborations with local schools where potential smoke impacts are of concern to site roof-top met sampling equipment that would be available to District staff on-line, and also to the school for educational purposes. If funding is sufficient and stable, and if program needs evolve as anticipated, the District plans to add additional staff support for the open burning program.

APPENDIX 1

NORTHERN SONOMA COUNTY
AIR POLLUTION CONTROL DISTRICT

Regulation 2: Open Burning

ADOPTED BY THE
BASIN CONTROL COUNCIL OF THE
CALIFORNIA NORTH COAST AIR BASIN

May 13, 1976
February 1, 1980
November 7, 1983
April 19, 1990

SCHEDULE OF ADOPTION
BY
AIR POLLUTION CONTROL BOARDS

Del Norte County APCD	Adopted on	August 9, 1976
	Revised on	March 31, 1980
*Merged into North Coast Unified AQMD on		November 1, 1982
Humboldt County APCD	Adopted on	July 13, 1976
	Revised on	April 8, 1980
*Merged into North Coast Unified AQMD on		November 1, 1982
Mendocino County APCD	Adopted on	June 22, 1976
	Revised on	April 1, 1980
	Revised on	December 13, 1983
	Revised on	September 11, 1984
Trinity County APCD	Adopted on	July 12, 1976
	Revised on	April 7, 1980
*Merged into North Coast Unified AQMD on		November 1, 1982
Northern Sonoma County APCD	Adopted on	July 12, 1976
	Revised on	January 20, 1981
	Revised on	June 18, 1991
North Coast Unified AQMD	Adopted on	November 3, 1982
	Revised on	March 14, 1984
	Revised on	August 13, 1987

REGULATION 2

OPEN BURNING

CALIFORNIA NORTH COAST AIR BASIN

INDEX

2-100 GENERAL PROVISIONS..... 1

101 Restrictions & Description
102 Exemption

2-200 DEFINITIONS..... 4

2-300 PROCEDURES..... 6

301 Open Burning - Agricultural
302 Open Burning - Non-Agricultural
303 Burn Day Determinations
304 Burning Permits
305 Designated Fire Agencies

2-400 LIMITATIONS..... 12

401 Burning Preparation and Restrictions

2-500 ENFORCEMENT..... 15

501 Prohibitions
502 Penalties

APPENDIX A - Humboldt Bay Air Basin..... 16

APPENDIX B - Ukiah-Little Lake Air Basin..... 17

APPENDIX C - Northern Sonoma County APCD..... 18

2-100
GENERAL PROVISIONS

2-101 Restrictions & Descriptions

This regulation prohibits the use of open outdoor fires within the North Coast Air Basin with certain exemptions as outlined in 2-102.

101.1 Restrictions

No person shall ignite or cause to be ignited or suffer, allow or maintain any open outdoor fire for the disposal of rubber, petroleum or plastic wastes, demolition debris, tires, tarpaper, wood waste, asphalt shingles, linoleum, cloth, household garbage or other combustible refuse; or for metal salvage or burning of motor vehicle bodies.

2-102 Exemptions

102.1 Fires used only for the cooking of food for human consumption or fires used for recreational purposes.

102.2 Fires set by or permitted by any public officer when such fire is necessary for any of the following purposes: (41801 H & S Code)

102.2.01 The prevention of an imminent fire hazard, as defined in 2-207.

102.2.02 The instruction of public employees in the methods of fighting fires.

102.2.03 The instruction of employees in methods of fighting fire, when such fire is set pursuant to permit, on property used for industrial purposes.

102.2.04 The setting of backfires necessary to save life, or valuable property pursuant to Section 4426 of the Public Resources Code.

102.2.05 The abatement of fire hazards pursuant to Section 13055 H & S Code. (Any public agency authorized to engage in fire protection activities, including but not limited to a fire protection district, city, city and county, or county fire department, the California Department of Forestry and Fire Protection, and the United States Forest

Service, may use fire to abate a fire hazard.)

102.2.06 Disease or pest prevention, where there is an immediate need for, and no reasonable alternative to, burning.

102.3 Fires used for the disposal of non-industrial wood waste from trees, vines, and brush at any approved disposal site in the North Coast Air Basin subject to the requirements and limitations of 2-101.1 and 2-400 (41804.5 H & S Code).

102.4 Fires set in accordance with Section 2-300 of this regulation, and subject to the restrictions and limitations of 2-101.1 and 2-400 (41804.5 H & S Code).

102.5 Fires conducted in a mechanized burner subject to permit conditions specified by the District such that no air contaminant is discharged into the atmosphere for a period or periods aggregating more than 30 minutes in any eight-hour period which is:

102.5.01 As dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

102.5.02 Of such opacity as to obscure an observer's view to a degree equal to 102.5.01.

2-200

DEFINITIONS

2-201 **Agricultural Burning -**

(a) Open outdoor fires used in agricultural operations to dispose of materials produced wholly from operations in the growing of crops or raising of fowl or animals, or open out-door fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat, or disease or pest prevention. (H & S 39011<a>)

(b) "Agricultural burning" also means open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified in subdivision (a). (H & S 39011<b>)

(c) "Agricultural burning" also means open outdoor fires used in wildland vegetation management burning. Wildland vegetation management burning is 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. Prescribed burning is the planned application of fire to vegetation to achieve any specific objective on lands selected in advance of that application. The planned application of fire may also include natural or accidental ignition. (H & S 39011<c>)

2-202 **ARB** - The California Air Resources Board.

2-203 **Approved Combustibles -** Paper, cardboard, brush, trees, native vegetation or other materials not prohibited by Health and Safety Code Sections 41800 through 41864 and as approved by the District. For agricultural open burning approved combustibles may include those intimately related paper and cardboard materials which are not wholly produced from agricultural operations. Examples of these intimately related materials are all-paper fertilizer sacks and paper or cardboard containers from hardware supplies which were used in the field.

2-204 **Brush Treated** - Material to be burned has been felled, crushed or uprooted with mechanical equipment, or has been desiccated with herbicides or is dead.

2-205 **Designated Agency -** Any agency designated by the Air Resources Board (ARB) as having authority to issue agricultural burning permits. The U.S. Forest Service (USFS) and the California Department of Forestry and

Fire Protection (CDF) are so designated within their respective areas of jurisdiction.

2-206 **District** - That Air Pollution Control or Air Quality Management District having jurisdiction in the area of the proposed burning.

2-207 **Fire Hazard** - For purposes of this Regulation, there are two types of fire hazards, imminent, and potential:

207.1 An **imminent** fire hazard is described as a hazard which presents imminent dangers to the health and/or safety of a person or persons and which becomes necessary for direct prevention by fire, and because of its imminency, not considerable for abatement by any other means. (41801<a> H & S)

207.2 A **potential** fire hazard is described as one which could in 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 is not abateable by any other means.

2-208 **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, silvicultural practices or forest protection practices.

208.1 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 log storage area which is not contiguous with the forested area.

208.2 Forest debris created from culling or salvaging operations within the forested area may be classified as agricultural waste if said operations result in a net reduction in total forest debris to be burned.

2-209 **No Burn Day** - Any day on which agricultural burning is prohibited by the ARB or by the District.

2-210 **North Coast Air Basin** - That area comprising the North Coast Unified Air Quality Management District, the Mendocino County Air Pollution Control District, and the Northern Sonoma County Air Pollution Control District.

2-211 **Open Outdoor Fire** - Any combustion of combustible materials of any type, outdoors in the open, not in any

enclosure, where the products of combustion are not directed through a flue.

2-212 **Permissive Burn Day** - Any day on which agricultural burning is not prohibited by the ARB or by the District.

2-213 **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.

213.01 **Permit** - as used herein refers to Air Pollution Control permits. In addition to Air Pollution permits Fire Protection permits may be necessary from the Fire Protection Agency having jurisdiction.

2-214 **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 re-establishment of an agricultural practice on land inundated by flood deposited debris.

2-215 **Silviculture** - The establishment, development, care and reproduction of stands of timber.

2-216 **Timber Operations** - Cutting or removal of timber or other forest vegetation.

2-217 **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, (as defined in Title 17, California Code of Regulations, Section 1561.1) trees, grass or standing brush.

2-300

PROCEDURES

2-301 Open Burning - Agricultural Classifications

Within the limitations of 2-400, open outdoor fires may be allowed for the disposal of approved combustibles only on permissive burn days in the following agricultural operations, as defined in Section 2-200.

301.1 **Agricultural** in the growing of crops or raising of fowl or animals.

301.2 **Range improvement** to remove unwanted vegetation for wildlife, game or livestock habitat or establish an agricultural practice.

301.3 **Forest management** to remove forest debris.

301.4 **Wildlife Management** by the use of range improvement burning to enhance wildlife or game habitat. (See 2-401.9)

301.5 **Wildland Vegetation Management** by the use of prescribed burning. The procedures as identified in section 2-401.13 shall apply to all burning which meets the definition of wildland vegetation management burning regardless of whether such burning also meets another definition in Section 2-200.

2-302 Open Burning - Non-Agricultural Classification

Within the limitations of 2-400 open outdoor fires may be allowed only for the disposal of approved combustibles only on permissive burn days in the following non-agricultural operations.

302.1 **Single or two-family dwellings:** for the disposal of approved combustibles burned on the property where generated. This category is not restricted to permissive burn days, except in the following areas:

The Humboldt Bay Air Basin (Appendix A)
The Ukiah-Little Lake Air Basin (Appendix B)

The Northern Sonoma County Air Pollution Control District (Appendix C)

302.2 **Property Development** for the disposal of wood waste from trees, vines, or brush on the property where grown and which is being

developed for commercial or residential purposes. (41802 H & S) Each proposed burn under this classification must be approved by the District Board, or where delegated, the air pollution control officer, after consideration of the amount of waste to be burned, the season of the year, the ambient air quality, proximity of waste to developed areas or such other or additional criteria as the District Board or air pollution control officer may establish. Such approval shall be in the form of a permit issued by the District air pollution control officer and such permit shall allow burning only on permissive burn days. (41804 H & S)

302.3 **Fire Hazard Reduction** for the disposal of brush cuttings resulting from brush clearance done in compliance with state and local ordinances specifically to reduce a potential fire hazard on the property where grown. (41802 H & S Code) Each proposed burn under this classification must be approved by the District Board, or where delegated, the air pollution control officer, after consideration of the amount of waste to be burned, the season of the year, the ambient air quality, proximity of waste to developed areas or such other or additional criteria as the District Board or air pollution control officer may establish. Such approval shall be in the form of a permit issued by the District air pollution control officer and such permit shall allow burning only on permissive burn days. (41804 H & S)

302.4 **Right-of-way Clearing** by a public entity or a utility.

302.5 **Levee,Reservoir and Ditch** maintenance.

2-303 Burn Day Determination

303.1 Information as to whether a day is a **permissive burn day** or a **no-burn day** will be available from the designated agencies listed under 2-305 of this regulation, and will be transmitted to the general public by announcement over local radio and television stations. 24-hour burn conditions may be obtained by phoning:

North Coast Unified	(707) 443-3091
Mendocino County	(707) 468-4391
Northern Sonoma County	(707) 544-2876

303.2 Burn day determinations will be made covering the entire California North Coast Air Basin; however, more restrictive conditions may be specified by a District for localized problem areas.

303.3 Upon requests from a permittee through a designated agency, seven days in advance of a specific range improvement, forest management, or wildland vegetation management burn at any elevation below 6,000 feet (msl), a permissive-burn or no-burn notice will be issued by the ARB up to 48 hours prior to the date scheduled for the burn. Without further request, a daily notice will continue to be issued until a permissive-burn notice is issued.

303.4 A permissive-burn or no-burn advisory outlook will be available up to 72 hours in advance of burns specified in 303.3.

303.5 The ARB or the District may cancel permissive-burn notices that have been issued more than 24 hours in advance if the cancellation is necessary to maintain suitable air quality.

2-304 Burning Permits

304.1 Permits are required as follows:

304.1.01 **Agricultural Burning** - permits are required and issued by the appropriate designated agency listed in 2-305.

304.1.02 **Single and two-family dwellings** - permit requirements of the fire control agency having jurisdiction in the area of the burn must be met for the burning of approved combustibles on the property. Air Pollution Control permits for this classification are also required in the Northern Sonoma County Air Pollution Control District.

304.1.03 **Property Development** - permits are required from the District for the disposal of brush clearance when done on the property where grown. Fire control agency permit requirements must also be met.

304.1.04 **Fire Hazard Reduction** - permits are required from the District for the disposal of brush cuttings resulting from brush clearance done in compliance with local ordinances to reduce fire hazard on the property where grown. Fire Control Agency permit requirements must also be met. (41802 H & S Code)

NOTE: District permits are pre-empted from the requirements of this regulation for the abatement of an imminent fire hazard as defined in 2-207.1 and pursuant to Section 13055 H & S Code.

304.1.05 **Right-of-Way Clearing, Ditch, Levee and Reservoir Maintenance** - a permit may be required from the District (check with the appropriate District). Permit requirements of the fire control agency having jurisdiction in the area of the burn must also be met.

304.2 Each applicant for an agricultural burning permit in accordance with Section 2-301 of this regulation shall supply such additional information as is required by the California Air Resources Board or the District.

304.3 Permits issued for agricultural burning shall bear a statement of warning containing the following words or words of similar import.

"This permit is valid only on those days during which agricultural burning is not prohibited by the California Air Resources Board or the District pursuant to Section 41855 of the Health and Safety Code."

2-304 Burning Permits

304.4 Range improvement burning may be conducted by permit from a designated agency on no-burn days during the period between January 1 and May 31, providing that more than 50% of the land has been brush treated. In the Northern Sonoma County APCD burning under this category may only be conducted by permit on a permissive burn day. The Air Resources Board may prohibit burning during this period if in the opinion of the Board, such prohibition is required for the maintenance of suitable air quality.

304.4.01 If the burn is to be done primarily for the improvement of land for wildlife or game habitat, the Department of Fish and Game may specify the amount of brush treatment required.

304.5 Special permits for agricultural burning on no-burn days may be issued by the District if denial of such permit would threaten imminent and substantial economic loss. In authorizing such burning each district of the North Coast Air Basin shall establish limits as to the amount of acreage or tonnage which can be burned on no burn days. Such burning shall be denied if the ambient air quality standards of metropolitan areas downwind of the burning are forecasted by the Air Resources Board to be exceeded.

2-305 Agricultural burning permits are issued ONLY by the following designated agencies as approved by the ARB, within their areas of jurisdiction:

United States Forest Service
California Department of Forestry and Fire Protection
United States Bureau of Indian Affairs
Arcata Fire Department
Eureka Fire Department
Humboldt Fire District No. 1

Ukiah Valley Fire Protection District
Fort Bragg Fire Department
Little Lake Fire Protection District (Willits)
Round Valley Fire District (Covelo)
Potter Valley Fire Department
Redwood Valley-Calpella Fire District
Bodega Bay Fire Protection District
Healdsburg Fire Department
Cloverdale Fire Department
Guerneville Fire Protection District
Graton Fire Protection District
Forestville Fire Protection District
Monte Rio Fire Protection District
North Coast Unified Air Quality Management District
Mendocino County Air Pollution Control District
Rincon Valley Fire Protection District
Occidental Volunteer Fire Department
Northern Sonoma County Air Pollution Control District
Windsor Fire Protection District

305.1 Designated agencies shall submit to the District agricultural burn permit information in a time interval and form as requested by the District.

2-400

LIMITATIONS

2-401 Burning Preparation and Restrictions

The following limitations, in addition to Section 2-101.1, apply to all burning allowed by Sections 2-102.3 and 2-300.

401.1 The waste to be burned shall be reasonably free of dirt, soil and excess moisture and whenever possible, shall be piled or windrowed in such a manner as to burn with maximum possible heat intensity and minimum smoke.

401.2 All open burning operations falling within the scope of these procedures must provide for ignition of the fuel pile by fuel blivets, drip torches, diesel sprayers, or other approved ignition devices.

401.3 The waste to be burned must be ignited as rapidly as practicable within applicable fire control regulations.

401.4 The waste shall be free of tires, tarpaper, garbage, or other types of rubbish likely to cause excessive smoke or odor. Pressure treated wood, pesticide containers, fumigation sheeting, irrigation system pipe or any plastic material may not be burned.

401.5 The waste shall be allowed to dry for the following minimum time periods before burning:

401.5.01 Trees and branches over 6 inches in diameter: 30 days.

401.5.02 Brush, vines, bushes, prunings and small branches: 15 days.

401.5.03 Field crops and weeds: 7 days.

401.5.04 Other materials: drying times will be determined by the District.

401.6 Minimum drying periods may be waived by the District only on submittal of acceptable evidence that the material to be burned contains less than 25 percent moisture.

401.7 Burning of waste after shorter drying times

may be allowed by permit from the District only on submittal of acceptable proof that the denial of such permit would threaten imminent and substantial economic loss.

401.8 With respect to range improvement burning, brush shall be treated at least 6 months prior to burning along with the felling of any unwanted trees over six inches in diameter, unless acceptable proof can be submitted that such treatment is technically and economically unfeasible.

401.9 All persons desiring to burn under the provisions of Section 301.4 shall provide the District with written certification from the Department of Fish and Game stating that the burning is desirable and proper.

401.10 NON-AGRICULTURAL burning conducted under the provisions of Section 2-302.2 and 2-302.3 (Property Development and Fire Hazard Reduction) shall also provide for:

401.10.01 All wood waste to be free of material not grown at the site.

401.10.02 Brush to be treated at least 60 days prior to the burn if economically and technically feasible.

401.10.03 Trees over 6 inches in diameter to be felled and dried at least 30 days prior to the burn in accordance with section 2-401.5.

401.10.04 Burning may be prohibited by the District on permissive burn days if smoke would be transported to a nearby populated area.

401.11 Burning under the provisions of 2-300 may be prohibited by the District if it is determined that meteorological conditions could cause smoke to create or contribute to an exceedance of a state or federal air quality standard or cause a public nuisance.

401.12 Each district within the North Coast Air Basin shall establish daily limits as to the amount of material, expressed in acreage or tonnage, which may be burned each permissive burn day under the provisions of 2-301.1 (general agriculture), 2-301.2 (range improvement), 2-301.3 (forest management), 2-

301.5 (wildland vegetative management).

401.13 For projects of 2,000 acres or larger where burning is conducted under the provisions of 301.5, the following information shall be provided the District for review and approval at least 30 days in advance of the proposed burning.

In the Northern Sonoma County Air Pollution Control District all projects regardless of size which are conducted under 2-301.5 shall submit this information. No burning may be conducted until such time as the applicant has received authorization from the APCO of the Northern Sonoma County Air Pollution Control District.

401.13.1 Location and specific objectives of the burn project.

401.13.2 Acreage or tonnage, type, and arrangement of vegetation to be burned.

401.13.3 Directions and distances to nearby sensitive receptor areas.

401.13.4 Fuel condition, combustion, firing pattern, and meteorologic prescription elements developed for the project.

401.13.5 Projected schedule and duration of project ignition, combustion, and burndown.

401.13.6 Specifications for meteorological monitoring and verifying critical project parameters.

401.13.7 Specifications for disseminating project information.

2-500

ENFORCEMENT

2-501 Prohibitions

501.1 No person shall set or allow to be set any open outdoor fires on days when prohibited by the ARB or the District, unless specifically exempted by provisions in 2-102 of this regulation.

501.2 No person shall set or allow to be set any open outdoor fires as may be allowed by Sections 2-301 and2-302, of this regulation unless he has a valid permit from a designated Fire Control Agency and/or the District as required in 2-304 of this regulation.

2-502 Penalties

502.1 Any violation of the open burning requirements stated in this Regulation is a misdemeanor punishable by imprisonment in the County Jail not exceeding six months, or by fine not exceeding one-thousand dollars ($1,000.00) or both, and the cost of putting out the fire. Every day during any portion of which such violation occurs, constitutes a separate offense.

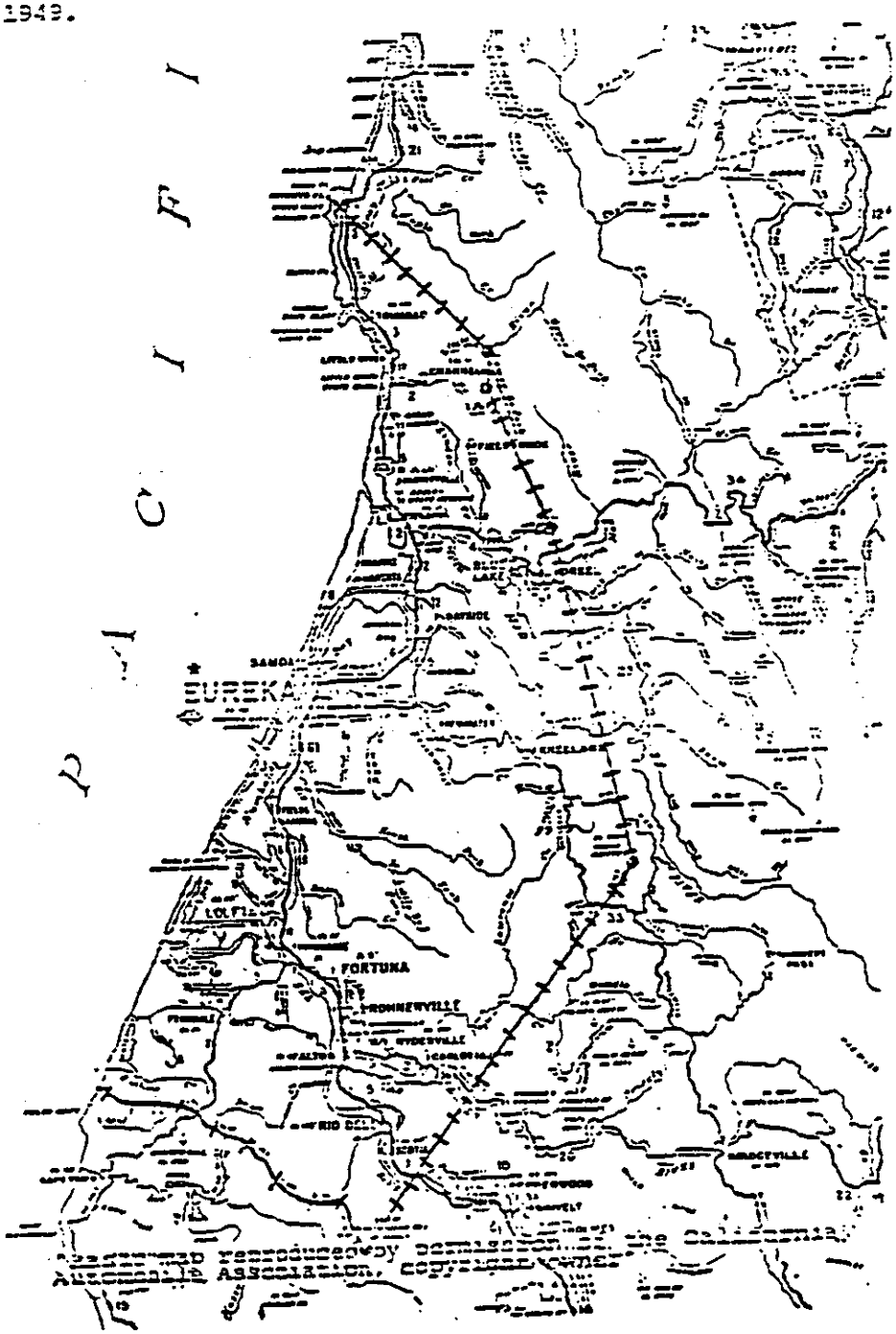
502.2 Any person who intentionally or negligently violates any order of abatement issued by a District pursuant to H&S Code 42450, by a hearing board pursuant to H&S 42451, or by the state board pursuant to H&S 41505 shall be liable for a civil penalty not to exceed twenty five thousand dollars ($25,000.00) for each day in which such violation occurs.

502.3 Any violation of the Open Burning Requirements as stated in this regulation is subject to Civil Penalty action not to exceed one thousand dollars ($1,000.00) for each offense. Everyday during any portion of which such violation occurs constitutes a separate offense.

APPENDIX A

HUMBOLDT BAY AIR BASIN

For use in these Rules and Regulations the Humboldt Bay Air Basin shall be defined as all those portions of Humboldt County: bounded on the west by the Pacific Ocean; bounded on the north and east by a line extending from Rocky Point, six miles north of Trinidad, to the junction of Little River and the Lower South Fork of Little River; thence due south to Tip Top Ridge; thence southeasterly along Tip Top Ridge to the southernmost summit of Tip Top Ridge north of Korbel, thence southeasterly along a line extending from the southernmost point of Tip Top Ridge to the lookout station at Iaqua Buttes; bounded on the south and east by a straight line extending from the lookout station at Iaqua Buttes to the Mt. Pierce lookout station south of Scotia: bounded on the south by a line following along the crest of Bear River Ridge from the Mt. Pierce lookout station to the Pacific Ocean. All the landmarks and points of reference referred to above are as shown on maps published by the State of California, Department of Natural Resources, Division of Forestry, dated 1949.



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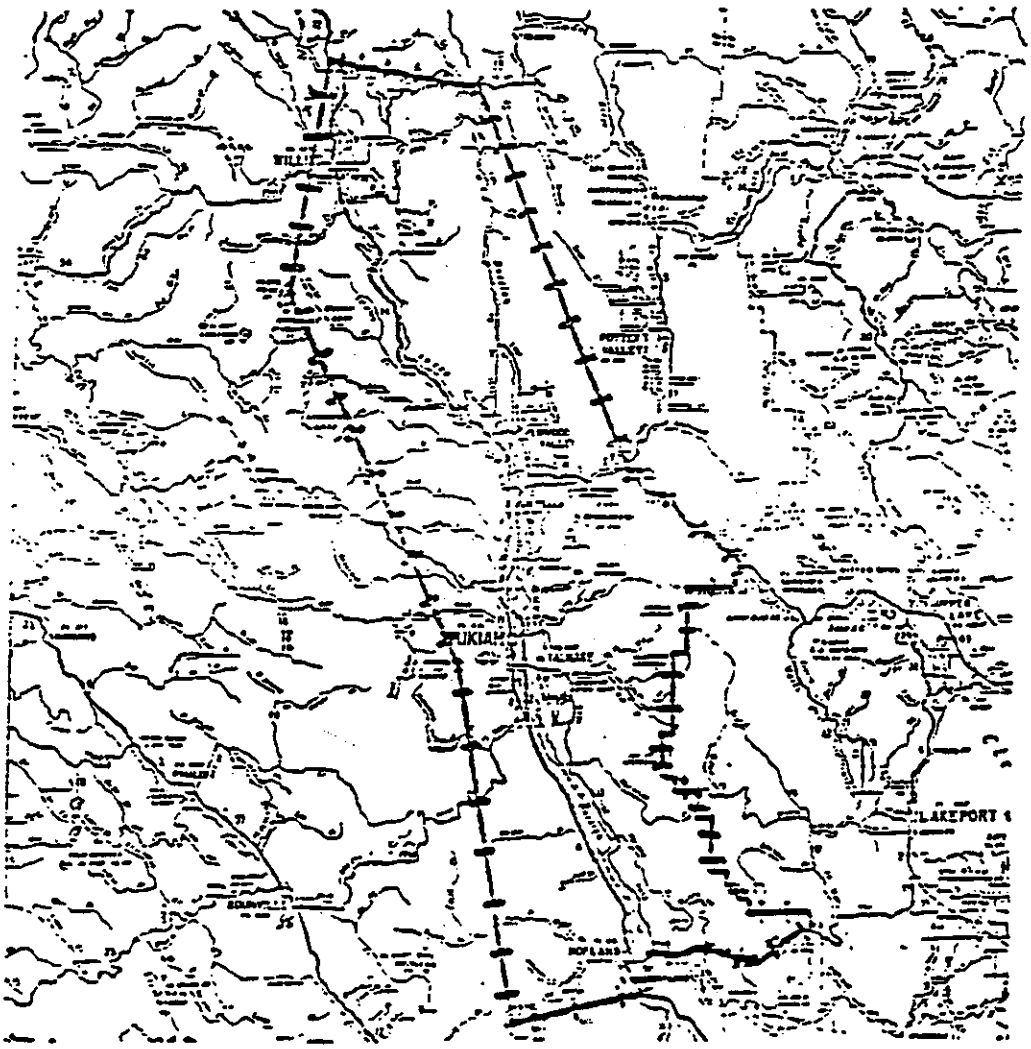
APPENDIX B

UKIAH - LITTLE LAKE AIR BASIN

For use in this Rule, the Ukiah-Little Lake Air Basin shall be defined as all those portions of Mendocino County: bounded on the north and east by a straight line extending from the summit of Oil Well Hill on Highway 101, southeasterly to the junction of Hearst Willits Road and Tomki Road, thence southeasterly to the junction of Highway 20 and Potter Valley Road, thence southeasterly, along Highway 20 to the Lake County Boundary line, thence continuing mostly southerly and easterly along the Mendocino - Lake County boundary line to the junction of Highway 175, thence westerly along Highway 175 to the junction of Highway 175 and County Road 201, thence southerly along County Road 201 to its termination with State Highway 101, thence westerly bounded on the south by a straight line extending to Snow Mountain Peak, thence northerly bounded on the west by a straight line extending to Lookout Peak, thence northwesterly bounded on the south and west by a straight line to Irene Peak, thence northerly bounded on the west by a straight line extended from Irene Peak to the point of beginning at the summit of Oil Well Hill on Highway 101.



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APPENDIX C

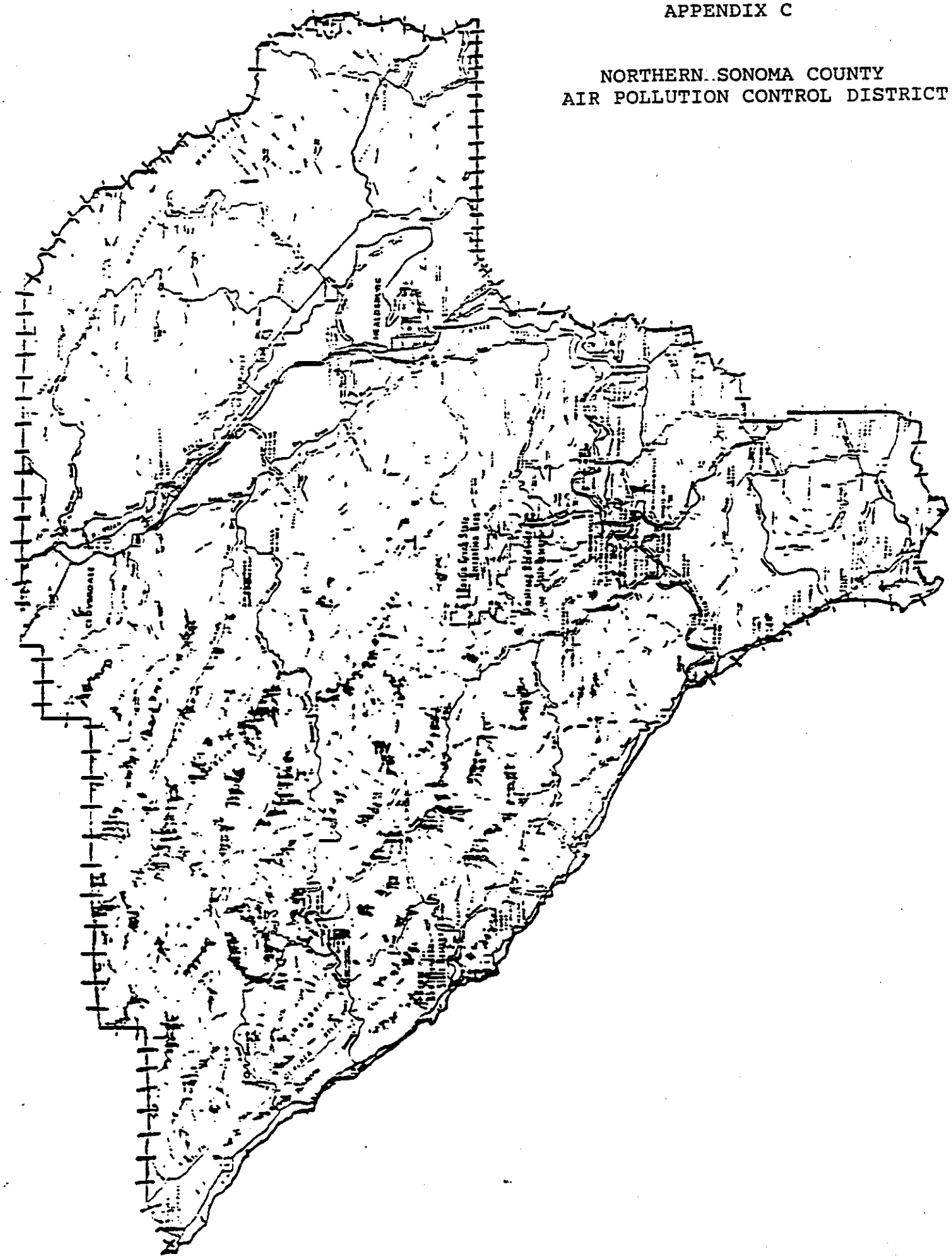
NORTHERN SONOMA COUNTY AIR BASIN

For use in this Rule, portions of Sonoma County: Beginning at the southeasterly corner of the Rancho Estero Americano, being on the boundary line between Marin and Sonoma Counties, California; thence running northerly along the easterly boundary line of said Rancho Estero Americano to the northeasterly corner thereof, being an angle corner in the westerly boundary line of Rancho Canada de Jonive; thence running along said boundary of Rancho Canada de Jonive westerly, northerly and easterly to its intersection with the easterly line of Graton Road; thence running along the easterly and southerly line of Graton Road, northerly and easterly to its intersection with the easterly line of Sullivan Road; thence running northerly along said easterly line of Sullivan Road to the southerly line of Green Valley Road; thence running easterly along the said southerly line of Green Valley Road and easterly along the southerly line of State Highway 116, to the westerly line of Vine Hill Road; thence running along the westerly and northerly line of Vine Hill Road, northerly and easterly to its intersection with the westerly line of Laguna Road; thence running northerly along the westerly line of Laguna Road and the northerly projection thereof to the northerly line of Trenton Road; thence running westerly along the northerly line of said Trenton Road to the easterly line of Trenton-Healdsburg Road; thence running northerly along said easterly line of Trenton-Healdsburg Road to the easterly line of Eastside Road; thence running northerly along said easterly line of Eastside Road to its inter section with the southerly line of Rancho Sotoyome; thence running easterly along said southerly line of Rancho Sotoyome to its intersection with the Township line common to Townships 8 and 9 North, M.D.M.; thence running easterly along said township line to its intersection with the boundary line between Sonoma and Napa Counties, State of California; thence running north along that boundary line to the intersection of boundaries between Sonoma, Lake and Napa Counties; running north along the boundary line between Sonoma and Lake Counties to the intersection of boundaries between Sonoma, Lake and Mendocino Counties; thence running westerly along the boundary line between Sonoma and Mendocino County to its terminas at the Pacific Ocean.

Map of Northern Sonoma County Air Basin found on page C-2.

APPENDIX C

NORTHERN SONOMA COUNTY
AIR POLLUTION CONTROL DISTRICT



APPENDIX 2

NORTHERN SONOMA COUNTY
AIR POLLUTION CONTROL DISTRICT

Regulation 2: Open Burning
Rule 300, Fees

RULE 300 - PERMIT FEES

300.1 Purpose

This rule is intended to provide the basis for assessing fees to persons required to obtain a valid open burning permit under Regulation 2, or as modified by the District's Smoke Management Program Policy, whichever is more recent. Fees assessed under this rule are established pursuant to the authority of the California Health & Safety Code, Section 42311, et. seq., which provides for the collection of permit fees to cover the costs of implementing programs related to stationary sources, area wide, and indirect sources, including but not limited to the issuance and enforcement of permits.

300.2 Applicability

This rule applies to any person required to hold a valid open burning permit under Regulation 2 of the Northern Sonoma County Air Pollution Control District, or as modified by the District's Smoke Management Program Policy, whichever is more recent.

300.3 Exemptions

None.

300.4 Definitions

Any term used in this rule shall have the definition specifically provided in Regulation 2, Section 200, Definitions, or as modified by the District's Smoke Management Program Policy, whichever is more recent. Where applicable and not otherwise defined in District Regulations, definitions may be used as provided by the California Health & Safety Code, or by the federal Clean Air Act and its implementing regulations.

300.5 Fees

On or After May 1, 2001, no open burning permit is valid in the Northern Sonoma County Air Pollution Control District unless the permit holder has paid all applicable fees for such permit, and has received from the District a permit validation. Any fee assessment pursuant to Rule 300 shall be subject to the procedures of this rule, as provided in Section 300.6, Procedures.

300.5.1 Agricultural Burning (Classifications A1 - A3): Every applicant for a permit to conduct open burning in the growing of crops and/or the raising of livestock or fowl, shall pay an application fee of $30.00, and all applicable fees, as follows. Classifications A1 - A3 do not include burning to clear land for planting.

A. Agricultural General (Classification A1): No additional fee for limited burning of cleared brush, and small amounts of

incidental crop waste due to disease or pests. This classification does not include routine burning of pruning waste, or waste from removal or replacement of crops.

B. **Agricultural Pruning Waste (Classification A2)**: The applicant shall pay an emissions fee of $1.00 per planted acre for the disposal of prunings from orchards, vineyards and other crops. This classification does not include the removal or replacement of crops.

C. **Agricultural Crop Removal (Classification A3)**: The applicant shall pay an emissions fee of $2.00 per acre of crop removed, including crops removed for disease or pest control.

300.5.2 Prescribed Burning (Classifications P0 – P4): Every applicant for a permit to conduct prescription burning, including the use of fire to clear previously untilled land for the establishment of an agricultural operation, shall pay an application fee of $30.00, and all applicable fees as follows:

A. **Prescription Exempt (Classification P0)**: The applicant shall pay an emissions fee of $2.00 per acre of material from which vegetative waste was removed.

B. **Range Management (Classification P1)**: The applicant shall pay a Plan Review and Implementation Fee as set forth in paragraph F, below.

C. **Forest Management (Classification P2)**: The applicant shall pay a Plan Review and Implementation Fee as set forth in paragraph F, below.

D. **Wildlife Habitat Management (Classification P3)**: The applicant shall pay a Plan Review and Implementation Fee as set forth in paragraph F, below.

E. **Wildland Vegetative Improvement (Classification P4)**: The applicant shall pay a Plan Review and Implementation Fee as set forth in paragraph F, below.

F. **Plan Review and Implementation Fees**: For all prescribed burning that is subject to a Smoke Management Plan, the applicant shall pay a Plan Review and Implementation Fee based on the Burn Category and level of coordination, as determined by the District. Burn Categories and associated fees are as follows:

Class 1: Prescribed burning involving fires that, because of location, proximity to smoke sensitive areas, and/or material type and/or amount, are unlikely to result in smoke impacts, has a Plan Review and Implementation Fee of $50.00.

Class 2: Prescribed burning involving fires that, because of location, proximity to smoke sensitive areas, and/or material type and/or amount, require a meteorological prescription to minimize the likelihood of smoke impacts, has a Plan Review and Implementation Fee of $100.00.

Class 3: Prescribed burning involving fires that, because of location, proximity to smoke sensitive areas, and/or

material type and/or amount, require a meteorological prescription as well as prescription verification, plume monitoring, and public notification, has a Plan Review and Implementation Fee of $250.00.

Coordination Fee: The District may also assess an additional Coordination Fee for requests for a permit to burn on a no-burn day or weekend day, and for Category 3 burns that require additional review or extra coordination at the time of the burn. Such fees shall not exceed the actual cost to the District, or $100 per day on which the coordination occurs, whichever is less.

300.5.3 Nonagricultural Burning (Classifications N1-N3): Effective May 1, 2002, every applicant for a permit to conduct open burning that does not meet the definition of Agricultural or Prescribed burning, shall pay all applicable fees, as follows:

A. Residential Uses (Classification N1): The applicant shall pay an application fee of $20.00.

B. Property Development Uses (Classification N2): The applicant shall pay an application fee of $50.00, and an emissions fee of $2.00 per acre from which the vegetative waste is to before was cleared.

C. Public Entity Uses (Right of Way, Ditch, Levee, and Reservoir Maintenance -- Classification N3): The applicant shall pay an application fee of $50.00.

300.6 Procedures

300.6.1 Permit Fee Assessment: Permit fees must be submitted prior to the issuance of the validated burn permit. No permit validation shall be issued without payment of all applicable fees.

300.6.2 Late Fee Penalty: If any person conducts open burning without first obtaining a validated burn permit in accordance with Regulation 2, Section 304, the person is subject to full enforcement action. In addition to any such enforcement action, said person must apply for a valid burn permit, and shall be assessed a late fee penalty which is one and one-half times the total of all applicable fees. The assessment of a late fee penalty shall not limit the District's right to pursue any other remedy provided for by law.

APPENDIX 3

NORTHERN SONOMA COUNTY
AIR POLLUTION CONTROL DISTRICT

Open Burning and Smoke Management Program
Interim Policy

NORTHERN SONOMA COUNTY
AIR POLLUTION CONTROL DISTRICT

Open Burning and Smoke Management Program
Interim Policy

BACKGROUND

The Northern Sonoma County Air Pollution Control District (NSCAPCD, or the District) has implemented a program to manage smoke impacts from open burning since 1976. On March 23, 2000, the California Air Resources Board (ARB) revised its guidelines for local smoke management programs, under the California Code of Regulations (CCR), Title 17 Section 80100, et. Seq. In response to the changes, the District is required to modify its local program.

Purpose: The Open Burning and Smoke Management Program Interim Policy is intended to implement the requirements of CCR 17 Section 80100, et. Seq. These requirements direct the District to establish a Smoke Management Program with enforceable program elements in place by June 30, 2001; this Policy is intended to provide such enforceable elements until District Regulation 2 is amended to incorporate these elements. This Policy is intended to minimize the impacts of open burning on air quality and the health of the District's residents. This Policy is designed to limit open burning such that it does not release more smoke into the airshed than can reasonably be dispersed, and results in the smallest smoke impacts reasonably achievable.

Nothing in Regulation 2, or this Policy, releases any person from the obligation to follow all procedures and requirements established for the purposes of fire prevention, protection, and/or safety. This policy also does not in any way restrict the rights of fire district personnel to enforce any requirements related to fire prevention, protection, and/or safety.

Authority: The District is authorized and required to establish a program to reduce the smoke impacts from open burning under California Health and Safety Code (H&SC) Section 41800, et. Seq. The H&SC Section 41856 directs the ARB to establish guidelines for agricultural burning (including prescribed fire), which the ARB adopted by regulation as CCR 17 Section 80100, et. Seq., on March 23, 2000. The H&SC Section 41863 requires local air pollution control districts to establish a program component for the regulation and control of agricultural burning based on the ARB guidelines.

Existing Program: Open burning in Northern Sonoma is currently subject to District Regulation 2, Open Burning. Under Regulation 2, any person wishing to conduct open burning must obtain a burn permit prior to conducting burning. Permits are currently issued either by the District or by a local fire protection agent. Regulation 2 limits the types of material burned and restricts burning to days that have been declared permissive burn days by the ARB. It allows the District to prohibit burning if the smoke could cause or contribute to either the exceedance of an air quality standard or a public nuisance. In addition, Regulation 2 establishes terms and procedures for the open burning program.

Program Modifications: This Policy does not replace the requirements of District Regulation 2. This Policy establishes procedures for the District to restrict open burning on the basis of burn location, type of burning, and/or amount of burning in order to manage smoke impacts. This

Policy also establishes specific requirements for Prescribed Burning activities to obtain District approval for a Smoke Management Plan. This Policy also recognizes a new requirement (pursuant to District Regulation 2, Rule 300, Fees) to pay fees for the burn permit. Because of the new requirement to pay fees, applicants will need to obtain validation stickers for their burn permits directly from the District, rather than the local fire protection district.

PROVISIONS

Applicability: Any person conducting any open burning in the Northern Sonoma County Air Pollution Control District, other than open burning exempted by District Regulation 2, is subject to the requirements of this Policy.

Prohibitions:

A. **Permits-** No person may conduct any open burning in the Northern Sonoma County Air Pollution Control District without first obtaining a validated burn permit from the District.

B. **Payment of Fees-** No burn permit is valid in the Northern Sonoma County Air Pollution Control District unless the permit holder has paid all applicable fees and received from the District an official permit validation.

C. **Burn Authorization-** No burn permit is valid in the Northern Sonoma County Air Pollution Control District on any day unless the permit holder has received the required authorization to conduct burning on that day.

D. **Smoke Management Plan-** No burn permit is valid in the Northern Sonoma County Air Pollution Control District if a Smoke Management Plan is required by this Policy, and either: (1) no Plan has been approved by the District, or (2) the terms in the Plan are not met at the time of the actual burn, including the terms of the Smoke Management Prescription, and Smoke Monitoring requirements.

Definitions: The terms used in this Policy are defined in Attachment 1. Terms not specifically defined in Attachment 1 have the definition provided in District Regulation 2, or CCR 17 Section 80101.

General Requirements: All open burning conducted pursuant to District Regulation 2 is subject to the following requirements.

A. **Permit Terms-** Any person proposing to conduct open burning must first obtain a validated burn permit from the District, and must comply with all terms and conditions of that permit, including the terms and conditions of any applicable Smoke Management Plan and/or Prescription.

B. **Burn Authorization-** Any person proposing to conduct open burning who holds a validated burn permit from the District, must obtain all authorizations required by the permit to conduct the burn on the day of ignition, including:

1. **General Authorization-** Any person proposing to conduct open burning must first obtain a general authorization to burn on the day of ignition, subject to the procedures of this Policy. General authorization is posted on the District's Burn Information Line; the burn is authorized if it is a Permissive Burn Day. The general authorization may only allow for limited burning, and if so will indicate which burns may proceed, based on color coding of the burn permit, and/or burn region as indicated on the burn permit.
2. **Specific Authorization-** Any person proposing to conduct Agricultural Burning in Classification A3, or Prescribed Burning in Classifications P1 through P4, must obtain

specific authorization from the District for the burn project on the day of ignition, subject to the procedures of this Policy.

Prescribed Burning Requirements: In addition to the General Requirements described above, any person proposing to conduct Prescribed Burning, other than burning in Classification P0, is subject to the following requirements.

A. **Smoke Management Plan-** As part of the permit application, any person proposing to conduct Prescribed Burning (except P0) must submit a Smoke Management Plan (SM Plan, or Plan) for District approval. The SM Plan must contain the following information:
   1. Location, types, and amounts of material to be burned;
   2. Expected duration of the fire from ignition to extinction;
   3. Identification of responsible personnel, including telephone contacts;
   4. Identification and location of all smoke sensitive areas; and
   5. Other information as required by the District.

B. **Smoke Management Prescription-** In addition to the SM Plan described above, any person proposing to conduct Prescribed Burning designated by the District as Category 2 or 3, must submit a Smoke Management Prescription (SM Prescription, or Prescription) for District approval. The SM Prescription shall contain the following information:
   1. Identification of meteorological conditions necessary for burning;
   2. The smoke management criteria the land manager or his/her designee will use for making burn ignition decisions;
   3. Projections (including a map) of where the smoke from burns is expected to travel, both day and night;
   4. Specific contingency actions (such as fire suppression or containment) that will be taken if smoke impacts occur or meteorological conditions deviate from those specified in the smoke management plan;
   5. An evaluation of alternatives to the burn project being considered. If an analysis of alternatives has been prepared as part of existing environmental documentation (such as analyses under the National Environmental Policy Act or the California Environmental Quality Act, if applicable) the analysis may be or referenced; and
   6. Discussion of public notification procedures.

C. **Smoke Monitoring-** In addition to the SM Prescription described above, any person proposing to conduct Prescribed Burning designated by the District as Category 3 shall conduct smoke monitoring. Smoke monitoring may include visual monitoring, ambient particulate matter monitoring or other monitoring approved by the District.

D. **Burn Registration-** Before May 1, any person or agency who regularly conducts Prescribed Burning will notify the District of Prescribed Burning projects planned for the coming year, to the extent the projects can be reasonably anticipated.

E. **Naturally Ignited Fires Managed for a Resource Benefit-** If a natural ignition of a fire in a wildland area occurs on a No Burn Day, the fire will not be managed for a resource benefit unless the District has been consulted (or, if the District is unavailable, the ARB) and has determined that, for smoke management purposes, the fire may be managed for a resource benefit. This provision does not require that fire-suppression be initiated.

Procedures: The procedures to obtain Burn Permit Validation, Burn Authorization, or approval of a Smoke Management Plan and/or Prescription are described in Attachment 2 to this Policy.

Open Burning and Smoke Management Program
Interim Policy

Attachment 1: Definitions of Terms

All terms used in the Interim Policy for the Open Burning and Smoke Management Program have the following definitions. Terms not specifically defined in Attachment 1 have the definitions provided in District Regulation 2, or in CCR 17 Section 80101.

Agricultural Burning Classifications- In this Policy, the use of open outdoor fires in the growing of crops and the raising of fowl or livestock is divided into two Agricultural Burning Classifications, as defined below (please also refer to the definition of Prescribed Burning, Range Management):

a. **Agricultural Burning, General (designated Classification A1)-** The use of open burning to dispose ONLY of cut brush and small amounts of crop waste resulting from incidental loss due to disease or pests. This classification excludes Crop Removal and Prescribed Burning (see definitions below).
b. **Agricultural Burning, Pruning Waste (designated Classification A2)-** The use of open burning to dispose of the prunings or clippings from orchards, vineyards and other similar material, and brush from field maintenance. This classification excludes Crop Removal and Prescribed Burning (see definitions below).
c. **Agricultural Burning, Crop Removal (designated Classification A3)-** The use of open burning to dispose of waste material following the removal or all or part of an established crop, including removal for the purposes of crop replacement, rotation, or disease or pest control.

Burn Authorization- The daily authorization, either General or Specific, granted by the District for each burn conducted pursuant to District Regulation 2 and this Policy.

Burn Permit Validation- The identification provided by the District for a burn permit which has been approved according to this Policy.

Nonagricultural Burning Classifications- Under this Policy, open outdoor burning other than Agricultural and Prescribed Burning, is divided into three classifications, as follows:

a. **Nonagricultural Burning, Residential (designated Classification N1)-** The use of open burning to dispose of approved combustible waste from a single or two-family dwelling on its premises.
b. **Nonagricultural Burning, Property Development (designated Classification N2)-** The use of open burning to dispose of approved combustible materials cleared in the preparation of land for residential, commercial or industrial development.
c. **Nonagricultural Burning, Public Entity (designated Classification N3)-** The use of open burning conducted by a public entity to dispose of approved combustible material cleared in the maintenance of a public Right of Way, ditch, levee, or reservoir.

Prescribed Burning Classifications- Under this Policy, Prescribed Burning is divided into five classifications, as follows:

a. **Prescribed Burning, Exempt (designated Classification P0)-** Any Prescribed Burning where all the material to be burned originates on less than three total aggregated acres of land.

b. **Prescribed Burning, Range Management (designated Classification P1)-** The use of Prescribed Burning as part of a forest management practice to remove forest debris or for forest management practices which include timber operations, silvicultural practices, or forest protection.
c. **Prescribed Burning, Forest Management (designated Classification P2)-** The use of Prescribed Burning to maintain or improve range and pasture lands for the raising of livestock, and/or to establish an agricultural practice on previously untilled lands.
d. **Prescribed Burning, Wildlife Habitat Management (designated Classification P3)-** The use of Prescribed Burning to maintain or improve habitat for wildlife or game.
e. **Prescribed Burning, Wildland Vegetative Management (designated Classification P4)-** The use of Prescribed Burning to manage vegetative growth in wildland areas. Wildland is an area where development is generally limited to roads, railroads, power lines, and widely scattered structures. Such land is not cultivated, is not fallow, and is not in the United States Department of Agriculture (USDA) Conservation Reserve Program. Exclusively for the purposes of the California Department of Forestry, wildland is specified in California Public Resources Code (PRC) section 4464(a).

Prescribed Burning Categories- Under this Policy, all Prescribed Burning in Classifications P1 through P4, as defined above, is categorized on the basis of the likelihood that the burn activity will result in smoke impacts. The categories are defined below:

a. **Prescribed Burning, Class 1-** Prescribed burning that, because of the location, proximity to smoke sensitive areas, and material type or amount to be burned, is unlikely to result in smoke impacts.
b. **Prescribed Burning, Class 2-** Prescribed burning that, because of the location, proximity to smoke sensitive areas, and material type or amount to be burned, requires a Smoke Management Prescription to minimize the likelihood of smoke impacts.
c. **Prescribed Burning, Class 3-** Prescribed burning that, because of the location, proximity to smoke sensitive areas, and material type or amount to be burned, requires a Smoke Management Prescription, verification of the prescription, plume monitoring, and public notification.

Restricted Burn Day- Any day which the ARB has designated a Marginal or Permissive Burn Day, and the District designates limited burning on the basis of burn type, location, or color coding on the burn permit.

Smoke Management Plan- The District-approved document prepared for each project of Prescribed Burning by land managers or fire managers that provides the information and procedures required in CCR 17 Section 80160, or this Policy.

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

Open Burning and Smoke Management Program
Interim Policy

Attachment 2: Procedures

All open burning conducted pursuant to District Regulation 2 and this Policy is subject to the following procedures.

A. **Procedures to Obtain Burn Permit Validation-** A validated burn permit may be obtained in the following manner:
   1. An application form must be completed and signed. Application forms are available at the District office, the local fire protection district office with jurisdiction at the burn location, or by mail. If the burn is classified as Prescribed Burning, Classifications P1 through P4, a Smoke Management Plan must be submitted and approved by the District (including a Smoke Management Prescription and Smoke Monitoring, if required), before the application will be considered complete.
   2. The completed and signed application must be submitted to the District. Applications may be submitted in person at the District office, or by mail, but not at the fire protection district office.
   3. All applicable burn permit fees must be paid, in accordance with District Regulation 2, Rule 300. Payment may be made by check or money order, payable to the "Northern Sonoma County Air Pollution Control District," or "NSCAPCD." The payment may be submitted with the completed application, in person at the District office, or by mail, but not at the fire protection district office.
   4. Upon receipt of the completed, signed application and payment of fees, the District will issue a validation for the burn permit. The validation will be in the form of a sticker containing relevant air quality information, which is to be affixed to the fire permit. The sticker may be issued in person at the District office, or by mail, but not at the fire protection district office.
   5. The validation sticker must be affixed to a fire permit, or fire safety sheet, as applicable.
      a. If the local fire protection district with jurisdiction is issuing fire permits, the applicant will be directed to the fire district's office with duplicate validation stickers. The fire district personnel will affix one sticker to the fire permit, and the duplicate to a copy of the fire permit that the fire district will retain for its records.
      b. If the local fire protection district with jurisdiction is not issuing fire permits (which may occur outside of fire season), the District will affix the validation sticker to a fire safety sheet prior to issuing the validation to the applicant. The fire safety sheet with the validation sticker may be issued in person at the District office, or by mail. A copy of the fire safety sheet with a duplicate validation sticker will be retained by the District and made available to the local fire protection district with jurisdiction over the burn.
   6. Any burn permit holder wishing to renew the burn permit on an annual basis may indicate on the application that the permit will be renewed. The District will offer to renew the permit by mail, including appropriate mechanisms to update records and submit payment of fees.

B. Procedures to Obtain Burn Authorization- Authorization to burn may be obtained in the following manner:

1. **General Authorization-** A general authorization to burn may be obtained by calling the District's Burn Information Line. Information is usually available after 5:00 p.m. in the evening the day before the potential burn day, however the District may post the burn day decision at any time prior to 8:00 a.m. on the potential burn day. If the a person is not required to have a Specific Authorization, the burn is authorized if a person holds a validated burn permit and according to the message on the Burn Information Line, either of the following is true:
   - **a.** It is a Permissive Burn Day in the Northern Sonoma County Air Pollution Control District, without further restriction.
   - **b.** It is a Restricted Burn Day and the validated burn permit with a classification, color code and/or burn region identified for permissive burning in the burn message.
2. **Specific Authorization-** A person required to obtain Specific Authorization to burn must meet either of the three criteria for General Authorization, listed above, and must do the following:
   - **a.** A person holding a validated permit for Agricultural Burning, Classification A3 must register the burn project with the district and will be placed, in order received, on a list of waiting projects.
   - **b.** A person who has a burn project on the waiting list for Specific Authorization will receive final Specific Authorization by contacting the Burn Project Update Line on the morning of the burn. All burn projects specifically authorized for that day will be listed on the Update Line.
   - **c.** A person holding a validated permit for Prescribed Burning, Classifications P1 through P4 must follow the specific authorization procedures in the Smoke Management Plan and/or Prescription.

C. Additional Procedures for Permits for Prescribed Burning Classifications P1 through P4- In addition to the validation procedures described above, any person proposing to conduct Prescribed Burning classified by the District as P1 through P4 must submit a completed supplemental application form (see Attachment 3) no later than 30 days prior to the earliest desired burn date. In order to be considered complete, the supplemental application must have the proposed Smoke Management Plan and Prescription, if required by the District for that project.

D. Procedures for the District to Determine Authorization for Burns- In authorizing open burning, the District will observe the following procedures:

1. When determining General Authorization for burning the District shall only provide a Permissive Burn Day if the ARB has allowed it, based on ambient air quality and meteorological conditions expected to exist on the day of the burn.
2. When determining General Authorization for burning, the District may restrict the quantity, location, or type of burning if ambient air quality and/or meteorological conditions warrant it. If burning is to be restricted, the District may use color coding on the burn permits, burn regions (as listed on the permits), and/or the permit classification (A1 through A3, N1 through N3, and P0 through P4).

3. When determining Specific Authorization, the District will designate the quantity, location, and type of material that may be burned. The District will consider ambient air quality, the meteorological conditions expected during burning (including wind speeds and directions at the surface and aloft, and atmospheric stability), the locations of smoke sensitive areas, and smoke from all burning activities, including burning in neighboring air districts or regions which may affect the district or region.

APPENDIX 4

NORTHERN SONOMA COUNTY
AIR POLLUTION CONTROL DISTRICT

Forms

NSCAPCD Application for Open Burning

Application No. 0132

1a. Applicant or Company Name

1b. Name of Company Contact (Do Not complete if same as 1a.)

2.Mailing Address or P.O.Box No.

3. City | State | Zip Code

4. Burn Location (Do Not Complete if Same as Mailing Address Above)

5. City of Burn Location (Do not complete if same as above) | Zip Code

6. Telephone (Required) | 7. Burn Type | 8. Burn Acres | 9. Material Type (e.g. Brush, Apple Prunings, Grapevines)

Fee Calculation (See Information on Back)

10. Burn Type Base Fee $

11. Acres ____ X $1.00 = $

12. Acres ____ X $2.00 = $

13. + **Total** $

I certify under penalty of perjury under the laws of the State of California that the burning to be conducted is located in the Northen Sonoma County Air Pollution Control District and the information entered by me on this document is true and correct.

☐ **NOTE!! I expect my permit to remain the same next year and would like to receive a renewal notice by mail. This option NOT available to Use Classes A3, N2 or any Px burns.**

Signature _____ Date _____

Use a ballpoint pen and, pressing firmly, print the required information on the application form. Be sure to include all information so as to speed processing. An incomplete application may result in non issuance.

Please, carefully read and follow these instructions

1a. Applicant or Company Name
Print your name or the name of the company business that is applying for the permit. Examples: John Smith or Sitcom Vineyard Management

1b. Company Contact Name
Enter the name of the company contact person. Leave blank if the same as item 1a.

2. & 3. Mailing Address or P.O.Box No, City State zip code.
Enter the mailing address of the applicant. This will be used for permit issues such as validation renewals, notices, updates etc.

4. & 5. Burn Location Address, City and Zip Code
Enter the property address where the burn will be conducted if different from the information in Items 2 & 3. Include the nearest city and its zip code.

6. Telephone Number
Enter the applicant or contact person's phone number. This MUST be included or the application will not be processed.

7. Burn Type
Use the information provided on the back of this application to find the burn classification for this application. Only one classification per permit.

NOTE: If the burn type is a Prescribed Burn please call the District at (707) 433-5911 before proceeding. A Supplemental Application for Prescribed Fires may need to be completed.

8. Burn Acres
Enter only the number of acres from which material is to be burned. DO not enter the parcel size unless the entire parcel is to be burned. Example: Type A2 - 40 acre ranch, 20 acres is planted in grapes that are pruned and burned each year. Enter 20 in Item 8 for the 20 acres that are burned.

9. Material Type
Clearly print the type of material to be burned. If the materials are from a crop please identify crop type. Examples: Grape Prunings, apple prunings, etc. For A3 (Crop removal Burns) Please identify crop type as grape vines, apple trees, plum trees etc.

10. Burn Type Base Fee
Using the fee tables on the reverse of the application enter the base fee for the burn type you selected for Item 7

11. Acres X $1.00
Enter the total number of acres for which there is a $1.00 per acre fee for that burn type (Example. A2). It should be the same acres that you entered in Item 8. Leave this blank if the $2.00 fee applies.

12. Acres X $2.00
Enter the total number of acres for which there is a $2.00 per acre fee for that burn type (Examples A3 and N2). It should be the same acres that you entered in Item 8. Leave this blank if the $1.00 fee applies.

13. Total
Add items 10 through 12. Send your payment (Check or Money order only) and the top application form to the District to the address shown. Retain your copy of the application for your records. Your validation labels will be sent to the mailing address shown on your application. These labels will be required by your fire agency before they can issue the final burn permit. Mail To: NSCAPCD
150 Matheson St
Healdsburg, CA 95448

Return this Copy with Payment

Northern Sonoma County APCD
Supplemental Application for Prescribed Fires

APPLICANT INFORMATION

NAME_____ DATE_____

PRIMARY CONTACT PERSON_____ TELEPHONE_____

ADDRESS_____

PROJECT DESCRIPTION

1. LOCATION_____

2. DESCRIPTION OF MATERIAL TO BE BURNED_____

3. PROJECTED ACREAGE_____ 4. PROJECTED TONNAGE_____

5. IGNITION AND FIRING TECHNIQUES_____

6. EXPECTED DURATION OF THE FIRE_____

7. BURN PERMIT (ISSUING AGENCY AND # IF APPLICABLE)_____

SMOKE MANAGEMENT COMPONENTS

Provide the Following Information Using Instructions on Back

(Typewritten Only Use Separate Sheets)

8. IDENTIFY SMOKE SENSITIVE AREAS

9. METEOROLOGICAL RESOURCES

10. METEORLOGICAL PRESCRIPTION

11. PRESCRIPTION VERIFICATION

12. DESCRIBE ANY ACTIONS THAT HAVE OR, WILL BE, TAKEN TO MINIMIZE SMOKE EMISSIONS

13. WHAT CONTINGENCY ACTIONS ARE PLANNED IF SMOKE IMPACTS OCCUR TO SMOKE SENSITIVE AREAS:

14. DESCRIBE PUBLIC NOTIFICATION PROCEDURES TO BE USED:

Burn Permit

County of Sonoma
Fire Services Administration
2300 County Center Drive, 221A
Santa Rosa, California 95403
(707) 527-1152

Northern Sonoma County
Air Pollution Control District
150 Matheson Street
Healdsburg, California 95448
(707) 433-5911

Affix Validation Stamp Over this Area

This Permit is Void without Validation Stamp

Prior to Burning:

1. Read and follow the conditions printed on this permit (See Reverse). Failure to conduct open burning in accordance with these conditions is a violation of State law.

2. Call 565-~~2867~~ 8716 (Burn Information) to Detemine Burn Day Status. Class, Code and Zone information for your permit is on the top line of the sticker above.

3. Call 565-1700 (Central Dispatch) to Register your Burn. You must give complete information.

General Conditions:

1. No burning shall be undertaken unless weather conditions (particularly the wind) are such that they can reasonably be considered safe (less than 10 miles per hour) during the burning period.

2. Open burning authorized by this permit shall be (a) attended by at least one able bodied adult person at all times; (b) confined within cleared firebreaks or barriers adequate to prevent it from escaping control; (c) regulated in size at all times to ensure proper control by the number of adult persons attending it.

3. This Permit is Void during suspension of burning by the Director of the California Department of Forestry and Fire Protection or the Sonoma County Office of Emergency Services.

4. Burning Hours

	May - Sept	Oct - Feb	Mar - Apr
Incinerator & Small Pile (N1)	6 a.m. - 10 a.m.	9 a.m. - 3:30 p.m.	6 a.m. - 5 p.m.
All Other Classes	_____	9 a.m. - 3:30 p.m.	6 a.m. - 5 p.m.

5. Other Requirements and Conditions: _____

_____

6. Fire Authorization Valid Until: _____

I own or legally control the above described land. I agree to comply with all fire laws and ordinances and with applicable air district regulations. I understand I may be held civilly liable for the cost of supressing an escaped fire. I further agree to comply with the specific terms of this permit.

Signature of Applicant: _____ Date: _____

Issued By: _____ Agent Title: _____

Sample Burn Permit Sticker*

Permit No.	Class	Code	Zone	Fire District	Expires
01-203	A1	Gold	3	GVL	April 30, 02

Company: **Beetelnut Vineyards**
Name: **Smokey Joe**
Address: **150 Matheson St**
City/State: **Healdsburg** **CA**
Zip Code: **95448**
Phone: **707 433 5911**

Burn Location: **16590 Old Redwood Hwy**
City: **Geyserville** **95441**
Section ___ Township ___ Range ___
Material Type: **Brush**
Acreage: **N/A**
Limitations: **Brush Only/No Prunings**

User No. 689018
Fees Paid $30.00
Issued: **06/27/01**

This permit is valid only on those days during which open burning is not prohibited or limited by the California Air Resources Board or the District pursuant to Section 41855 of the Health & Safety Code and Regulation II of the NSCAPCD

*Note: Due to the constraints of the label printer and associated software, this is a mock-up of an actual sticker. Actual stickers have the County seal centered in the upper right-hand corner, and the printed information is sized slightly differently.

EXHIBIT A

NORTHERN SONOMA COUNTY
AIR POLLUTION CONTROL DISTRICT

Open Burning and Smoke Management Program
Interim Policy

BACKGROUND

The Northern Sonoma County Air Pollution Control District (NSCAPCD, or the District) has implemented a program to manage smoke impacts from open burning since 1976. On March 23, 2000, the California Air Resources Board (ARB) revised its guidelines for local smoke management programs, under the California Code of Regulations (CCR), Title 17 Section 80100, et. Seq. In response to the changes, the District is required to modify its local program.

Purpose: The Open Burning and Smoke Management Program Interim Policy is intended to implement the requirements of CCR 17 Section 80100, et. Seq. These requirements direct the District to establish a Smoke Management Program with enforceable program elements in place by June 30, 2001; this Policy is intended to provide such enforceable elements until District Regulation 2 is amended to incorporate these elements. This Policy is intended to minimize the impacts of open burning on air quality and the health of the District's residents. This Policy is designed to limit open burning such that it does not release more smoke into the airshed than can reasonably be dispersed, and results in the smallest smoke impacts reasonably achievable.

Nothing in Regulation 2, or this Policy, releases any person from the obligation to follow all procedures and requirements established for the purposes of fire prevention, protection, and/or safety. This policy also does not in any way restrict the rights of fire district personnel to enforce any requirements related to fire prevention, protection, and/or safety.

Authority: The District is authorized and required to establish a program to reduce the smoke impacts from open burning under California Health and Safety Code (H&SC) Section 41800, et. Seq. The H&SC Section 41856 directs the ARB to establish guidelines for agricultural burning (including prescribed fire), which the ARB adopted by regulation as CCR 17 Section 80100, et. Seq., on March 23, 2000. The H&SC Section 41863 requires local air pollution control districts to establish a program component for the regulation and control of agricultural burning based on the ARB guidelines.

Existing Program: Open burning in Northern Sonoma is currently subject to District Regulation 2, Open Burning. Under Regulation 2, any person wishing to conduct open burning must obtain a burn permit prior to conducting burning. Permits are currently issued either by the District or by a local fire protection agent. Regulation 2 limits the types of material burned and restricts burning to days that have been declared permissive burn days by the ARB. It allows the District to prohibit burning if the smoke could cause or contribute to either the exceedance of an air quality standard or a public nuisance. In addition, Regulation 2 establishes terms and procedures for the open burning program.

Program Modifications: This Policy does not replace the requirements of District Regulation 2. This Policy establishes procedures for the District to restrict open burning on the basis of burn location, type of burning, and/or amount of burning in order to manage smoke impacts. This

Policy also establishes specific requirements for Prescribed Burning activities to obtain District approval for a Smoke Management Plan. This Policy also recognizes a new requirement (pursuant to District Regulation 2, Rule 300, Fees) to pay fees for the burn permit. Because of the new requirement to pay fees, applicants will need to obtain validation stickers for their burn permits directly from the District, rather than the local fire protection district.

PROVISIONS

Applicability: Any person conducting any open burning in the Northern Sonoma County Air Pollution Control District, other than open burning exempted by District Regulation 2, is subject to the requirements of this Policy.

Prohibitions:

A. **Permits-** No person may conduct any open burning in the Northern Sonoma County Air Pollution Control District without first obtaining a validated burn permit from the District.

B. **Payment of Fees-** No burn permit is valid in the Northern Sonoma County Air Pollution Control District unless the permit holder has paid all applicable fees and received from the District an official permit validation.

C. **Burn Authorization-** No burn permit is valid in the Northern Sonoma County Air Pollution Control District on any day unless the permit holder has received the required authorization to conduct burning on that day.

D. **Smoke Management Plan-** No burn permit is valid in the Northern Sonoma County Air Pollution Control District if a Smoke Management Plan is required by this Policy, and either: (1) no Plan has been approved by the District, or (2) the terms in the Plan are not met at the time of the actual burn, including the terms of the Smoke Management Prescription, and Smoke Monitoring requirements.

Definitions: The terms used in this Policy are defined in Attachment 1. Terms not specifically defined in Attachment 1 have the definition provided in District Regulation 2, or CCR 17 Section 80101.

General Requirements: All open burning conducted pursuant to District Regulation 2 is subject to the following requirements.

A. **Permit Terms-** Any person proposing to conduct open burning must first obtain a validated burn permit from the District, and must comply with all terms and conditions of that permit, including the terms and conditions of any applicable Smoke Management Plan and/or Prescription.

B. **Burn Authorization-** Any person proposing to conduct open burning who holds a validated burn permit from the District, must obtain all authorizations required by the permit to conduct the burn on the day of ignition, including:

1. **General Authorization-** Any person proposing to conduct open burning must first obtain a general authorization to burn on the day of ignition, subject to the procedures of this Policy. General authorization is posted on the District's Burn Information Line; the burn is authorized if it is a Permissive Burn Day. The general authorization may only allow for limited burning, and if so will indicate which burns may proceed, based on color coding of the burn permit, and/or burn region as indicated on the burn permit.
2. **Specific Authorization-** Any person proposing to conduct Agricultural Burning in Classification A3, or Prescribed Burning in Classifications P1 through P4, must obtain

specific authorization from the District for the burn project on the day of ignition, subject to the procedures of this Policy.

Prescribed Burning Requirements: In addition to the General Requirements described above, any person proposing to conduct Prescribed Burning, other than burning in Classification P0, is subject to the following requirements.

A. **Smoke Management Plan-** As part of the permit application, any person proposing to conduct Prescribed Burning (except P0) must submit a Smoke Management Plan (SM Plan, or Plan) for District approval. The SM Plan must contain the following information:
   1. Location, types, and amounts of material to be burned;
   2. Expected duration of the fire from ignition to extinction;
   3. Identification of responsible personnel, including telephone contacts;
   4. Identification and location of all smoke sensitive areas; and
   5. Other information as required by the District.

B. **Smoke Management Prescription-** In addition to the SM Plan described above, any person proposing to conduct Prescribed Burning designated by the District as Category 2 or 3, must submit a Smoke Management Prescription (SM Prescription, or Prescription) for District approval. The SM Prescription shall contain the following information:
   1. Identification of meteorological conditions necessary for burning;
   2. The smoke management criteria the land manager or his/her designee will use for making burn ignition decisions;
   3. Projections (including a map) of where the smoke from burns is expected to travel, both day and night;
   4. Specific contingency actions (such as fire suppression or containment) that will be taken if smoke impacts occur or meteorological conditions deviate from those specified in the smoke management plan;
   5. An evaluation of alternatives to the burn project being considered. If an analysis of alternatives has been prepared as part of existing environmental documentation (such as analyses under the National Environmental Policy Act or the California Environmental Quality Act, if applicable) the analysis may be referenced; and
   6. Discussion of public notification procedures.

C. **Smoke Monitoring-** In addition to the SM Prescription described above, any person proposing to conduct Prescribed Burning designated by the District as Category 3 shall conduct smoke monitoring. Smoke monitoring may include visual monitoring, ambient particulate matter monitoring or other monitoring approved by the District.

D. **Burn Registration-** Before May 1, any person or agency who regularly conducts Prescribed Burning will notify the District of Prescribed Burning projects planned for the coming year, to the extent the projects can be reasonably anticipated.

E. **Naturally Ignited Fires Managed for a Resource Benefit-** If a natural ignition of a fire in a wildland area occurs on a No Burn Day, the fire will not be managed for a resource benefit unless the District has been consulted (or, if the District is unavailable, the ARB) and has determined that, for smoke management purposes, the fire may be managed for a resource benefit. This provision does not require that fire-suppression be initiated.

Procedures: The procedures to obtain Burn Permit Validation, Burn Authorization, or approval of a Smoke Management Plan and/or Prescription are described in Attachment 2 to this Policy.

EXHIBIT B

Open Burning and Smoke Management Program
Interim Policy

Attachment 1: Definitions of Terms

All terms used in the Interim Policy for the Open Burning and Smoke Management Program have the following definitions. Terms not specifically defined in Attachment 1 have the definitions provided in District Regulation 2, or in CCR 17 Section 80101.

Agricultural Burning Classifications- In this Policy, the use of open outdoor fires in the growing of crops and the raising of fowl or livestock is divided into two Agricultural Burning Classifications, as defined below (please also refer to the definition of Prescribed Burning, Range Management):

a. **Agricultural Burning, General (designated Classification A1)-** The use of open burning to dispose ONLY of cut brush and small amounts of crop waste resulting from incidental loss due to disease or pests. This classification excludes Crop Removal and Prescribed Burning (see definitions below).

b. **Agricultural Burning, Pruning Waste (designated Classification A2)-** The use of open burning to dispose of the prunings or clippings from orchards, vineyards and other similar material, and brush from field maintenance. This classification excludes Crop Removal and Prescribed Burning (see definitions below).

c. **Agricultural Burning, Crop Removal (designated Classification A3)-** The use of open burning to dispose of waste material following the removal or all or part of an established crop, including removal for the purposes of crop replacement, rotation, or disease or pest control.

Burn Authorization- The daily authorization, either General or Specific, granted by the District for each burn conducted pursuant to District Regulation 2 and this Policy.

Burn Permit Validation- The identification provided by the District for a burn permit which has been approved according to this Policy.

Nonagricultural Burning Classifications- Under this Policy, open outdoor burning other than Agricultural and Prescribed Burning, is divided into three classifications, as follows:

a. **Nonagricultural Burning, Residential (designated Classification N1)-** The use of open burning to dispose of approved combustible waste from a single- or two-family dwelling on its premises.

b. **Nonagricultural Burning, Property Development (designated Classification N2)-** The use of open burning to dispose of approved combustible materials cleared in the preparation of land for residential, commercial or industrial development.

c. **Nonagricultural Burning, Public Entity (designated Classification N3)-** The use of open burning conducted by a public entity to dispose of approved combustible material cleared in the maintenance of a public right of way, ditch, levee, or reservoir.

Prescribed Burning Classifications- Under this Policy, Prescribed Burning is divided into five classifications, as follows:

a. **Prescribed Burning, Exempt (designated Classification P0)-** Any Prescribed Burning where all the material to be burned originates on less than three total aggregated acres of land.

b. **Prescribed Burning, Range Management (designated Classification P1)-** The use of Prescribed Burning as part of a forest management practice to remove forest debris or for forest management practices which include timber operations, silvicultural practices, or forest protection.
c. **Prescribed Burning, Forest Management (designated Classification P2)-** The use of Prescribed Burning to maintain or improve range and pasture lands for the raising of livestock, and/or to establish an agricultural practice on previously untilled lands.
d. **Prescribed Burning, Wildlife Habitat Management (designated Classification P3)-** The use of Prescribed Burning to maintain or improve habitat for wildlife or game.
e. **Prescribed Burning, Wildland Vegetative Management (designated Classification P4)-** The use of Prescribed Burning to manage vegetative growth in wildland areas. Wildland is an area where development is generally limited to roads, railroads, power lines, and widely scattered structures. Such land is not cultivated, is not fallow, and is not in the United States Department of Agriculture (USDA) Conservation Reserve Program. Exclusively for the purposes of the California Department of Forestry, wildland is specified in California Public Resources Code (PRC) section 4464(a).

Prescribed Burning Categories- Under this Policy, all Prescribed Burning in Classifications P1 through P4, as defined above, is categorized on the basis of the likelihood that the burn activity will result in smoke impacts. The categories are defined below:

a. **Prescribed Burning, Class 1-** Prescribed burning that, because of the location, proximity to smoke sensitive areas, and material type or amount to be burned, is unlikely to result in smoke impacts.
b. **Prescribed Burning, Class 2-** Prescribed burning that, because of the location, proximity to smoke sensitive areas, and material type or amount to be burned, requires a Smoke Management Prescription to minimize the likelihood of smoke impacts.
c. **Prescribed Burning, Class 3-** Prescribed burning that, because of the location, proximity to smoke sensitive areas, and material type or amount to be burned, requires a Smoke Management Prescription, verification of the prescription, plume monitoring, and public notification.

Restricted Burn Day- Any day which the ARB has designated a Marginal or Permissive Burn Day, and the District designates limited burning on the basis of burn type, location, or color coding on the burn permit.

Smoke Management Plan- The District-approved document prepared for each project of Prescribed Burning by land managers or fire managers that provides the information and procedures required in CCR 17 Section 80160, or this Policy.

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

Open Burning and Smoke Management Program
Interim Policy

Attachment 2: Procedures

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A. **Procedures to Obtain Burn Permit Validation-** A validated burn permit may be obtained in the following manner:
   1. An application form must be completed and signed. Application forms are available at the District office, the local fire protection district office with jurisdiction at the burn location, or by mail. If the burn is classified as Prescribed Burning, Classifications P1 through P4, a Smoke Management Plan must be submitted and approved by the District (including a Smoke Management Prescription and Smoke Monitoring, if required), before the application will be considered complete.
   2. The completed and signed application must be submitted to the District. Applications may be submitted in person at the District office, or by mail, but not at the fire protection district office.
   3. All applicable burn permit fees must be paid, in accordance with District Regulation 2, Rule 300. Payment may be made by check or money order, payable to the "Northern Sonoma County Air Pollution Control District," or "NSCAPCD." The payment may be submitted with the completed application, in person at the District office, or by mail, but not at the fire protection district office.
   4. Upon receipt of the completed, signed application and payment of fees, the District will issue a validation for the burn permit. The validation will be in the form of a sticker containing relevant air quality information, which is to be affixed to the fire permit. The sticker may be issued in person at the District office, or by mail, but not at the fire protection district office.
   5. The validation sticker must be affixed to a fire permit, or fire safety sheet, as applicable.
      a. If the local fire protection district with jurisdiction is issuing fire permits, the applicant will be directed to the fire district's office with duplicate validation stickers. The fire district personnel will affix one sticker to the fire permit, and the duplicate to a copy of the fire permit that the fire district will retain for its records.
      b. If the local fire protection district with jurisdiction is not issuing fire permits (which may occur outside of fire season), the District will affix the validation sticker to a fire safety sheet prior to issuing the validation to the applicant. The fire safety sheet with the validation sticker may be issued in person at the District office, or by mail. A copy of the fire safety sheet with a duplicate validation sticker will be retained by the District and made available to the local fire protection district with jurisdiction over the burn.
   6. Any burn permit holder wishing to renew the burn permit on an annual basis may indicate on the application that the permit will be renewed. The District will offer to renew the permit by mail, including appropriate mechanisms to update records and submit payment of fees.

B. **Procedures to Obtain Burn Authorization-** Authorization to burn may be obtained in the following manner:

1. **General Authorization-** A general authorization to burn may be obtained by calling the District's Burn Information Line. Information is usually available after 5:00 p.m. in the evening the day before the potential burn day; however, the District may post the burn day decision at any time prior to 8:00 a.m. on the potential burn day. If the person is not required to have a Specific Authorization, the burn is authorized if a person holds a validated burn permit and according to the message on the Burn Information Line, either of the following is true:
   a. It is a Permissive Burn Day in the Northern Sonoma County Air Pollution Control District, without further restriction.
   b. It is a Restricted Burn Day and the validated burn permit with a classification, color code and/or burn region identified for permissive burning in the burn message.
2. **Specific Authorization-** A person required to obtain Specific Authorization to burn must meet either of the three criteria for General Authorization, listed above, and must do the following:
   a. A person holding a validated permit for Agricultural Burning, Classification A3 must register the burn project with the District and will be placed, in order received, on a list of waiting projects.
   b. A person who has a burn project on the waiting list for Specific Authorization will receive final Specific Authorization by contacting the Burn Project Update Line on the morning of the burn. All burn projects specifically authorized for that day will be listed on the Update Line.
   c. A person holding a validated permit for Prescribed Burning, Classifications P1 through P4 must follow the specific authorization procedures in the Smoke Management Plan and/or Prescription.

C. **Additional Procedures for Permits for Prescribed Burning Classifications P1 through P4-** In addition to the validation procedures described above, any person proposing to conduct Prescribed Burning classified by the District as P1 through P4 must submit a completed supplemental application form (see Attachment 3) no later than 30 days prior to the earliest desired burn date. In order to be considered complete, the supplemental application must have the proposed Smoke Management Plan and Prescription, if required by the District for that project.

D. **Procedures for the District to Determine Authorization for Burns-** In authorizing open burning, the District will observe the following procedures:

1. When determining General Authorization for burning, the District shall only provide a Permissive Burn Day if the ARB has allowed it, based on ambient air quality and meteorological conditions expected to exist on the day of the burn.
2. When determining General Authorization for burning, the District may restrict the quantity, location, or type of burning if ambient air quality and/or meteorological conditions warrant it. If burning is to be restricted, the District may use color coding on the burn permits, burn regions (as listed on the permits), and/or the permit classification (A1 through A3, N1 through N3, and P0 through P4).

3. When determining Specific Authorization, the District will designate the quantity, location, and type of material that may be burned. The District will consider ambient air quality, the meteorological conditions expected during burning (including wind speeds and directions at the surface and aloft, and atmospheric stability), the locations of smoke sensitive areas, and smoke from all burning activities, including burning in neighboring air districts or regions which may affect the District or region.

B. Lee

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THE WITHIN INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST: APR 25 2001

EEVE T. LEWIS
County Clerk & ex-officio Clerk of the Board of Supervisors of the State of California, in & for the County of Sonoma.
By M. Bauman Deputy

#52

RESOLUTION NO. 01-0489

County of Sonoma
Santa Rosa, CA 95403

Date: 01-0489

RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT ESTABLISHING OPEN BURNING POLICY

WHEREAS, the Northern Sonoma County Air Pollution Control District (hereinafter referred to as "the District") currently implements Regulation 2, Open Burning; and

WHEREAS, Regulation 2, Open Burning, authorizes the Air Pollution Control Officer to limit open burning if such burning is likely to cause or contribute to the exceedance of an ambient air quality standard or a public nuisance; and

WHEREAS, the California Air Resources Board, on March 23, 2000, established requirements for local air pollution control districts to implement smoke management programs; and

WHEREAS, the smoke management program must be enforceably implemented by July 1, 2001; and

WHEREAS, public notice was made and distributed to affected parties, and public and industry workshops were held on January 10, 2001, February 15, 2001, and February 22, 2001; public and industry comments have been received, considered and incorporated where necessary and appropriate; and

WHEREAS, all issues raised by the public have been addressed by language changes to the proposed "Open Burning and Smoke Management Program Interim Policy"; and

WHEREAS, a public hearing was properly noticed with a solicitation for comments on March 24, 2001; and

WHEREAS, documentation describing the proposed "Open Burning and Smoke Management Interim Policy" and the impacts has for 30 days in advance been available for public view; and

WHEREAS, the Board of Directors of the District has held a public hearing in accordance with all provisions of the law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Northern Sonoma County Air Pollution Control District hereby finds, determines, declares, and orders as follows:

1. Each of the foregoing recitals is true and correct.
2. The "Open Burning and Smoke Management Program Interim Policy" as set forth in Exhibit "A" with the attachments as set forth in Exhibit "B" attached hereto and incorporated herein by reference, is hereby adopted and shall be effective on May 1, 2001.
3. The Clerk of the Board is hereby authorized and directed to deliver a certified copy of this policy to the District within seven days of adoption.

DIRECTORS:

Cale_____ Kerns_____ Kelley _____ Reilly _____ Smith _____

Ayes ____5____ Noes_____ Abstain _____ Absent _____

SO ORDERED.