

## REGULATION III - AGRICULTURAL BURNING

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:1 Definitions:

Adopt 8/10/71, Amended 8/4/87, Amended 6/16/92, Repealed/Adopted 6/19/01

For the purposes of this section, the following definitions shall apply:

- 1      Agricultural Burning: Open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat, or disease or pest prevention. 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 above. 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.
- 2      Air Pollution Control District, APCD, air district or District: An air pollution control district or air quality management district created or continued in existence pursuant to provisions of the Health and Safety Code section 40000 et seq.
- 3      Burn Plan: An operational plan for managing a specific fire to achieve resource benefits and specific management objectives. The plan includes, at a minimum, the project objectives, contingency responses for when the fire is out of prescription with the smoke management plan, the fire prescription (including smoke management components), and a description of the personnel, organization, and equipment.
- 4      Burn Project: An active or planned prescribed burn or a naturally ignited wildland fire managed for resource benefits.
- 5      Designated Agency: Any agency designated by the Air Resources Board as having authority to issue agricultural burning, including prescribed burning, permits. An air district may request such a designation for an agency. The U.S. Department of Agriculture (USDA) Forest Service and the California Department of Forestry and Fire Protection (CDF) are so designated within their respective areas of jurisdiction.
- 6      Fire Protection Agency: Any agency with the responsibility and authority to protect people, property, and the environment from fire, and having jurisdiction within a district or region.
- 7      Forty-Eight Hour Forecast: A prediction of the meteorological and air quality conditions that are expected to exist for a specific prescribed burn in a specific area 48 hours from the day of the prediction. The prediction shall indicate a degree of confidence.
- 8      Land Manager: Any federal, state, local, or private entity that administers, directs, oversees, or controls the use of public or private land, including the application of fire to the land.
- 9      Marginal Burn Day: A day when limited amounts of agricultural burning, including prescribed burning, for individual projects in specific areas for limited times is not prohibited by the state board and burning is authorized by the air district consistent with these guidelines.
- 10     Ninety-Six Hour Trend: A prediction of the meteorological and air quality conditions that are expected to exist for a specific prescribed burn in a specific area 96 hours from the day of the prediction.

- 11 No-Burn Day: Any day on which agricultural burning, including prescribed burning, is prohibited by the state board or the air district in which the burning will occur.
- 11.1 Open Burning in agricultural operations in the growing of crops or raising of fowl or animals:
- 11.1.1 The burning in the open of materials produced wholly from operations in the growing and harvesting of crops or raising of fowl or animals for the primary purpose of making a profit, of providing a livelihood, or of conducting agricultural research or instruction by an educational institution.
- 11.1.2 In connection with operations qualifying under subdivision [11.1.1](#) above:
- 11.1.2.1 The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation.
- 11.1.2.2 The burning of materials not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops and which are used in the field, except as prohibited by air district regulations. Examples are trays for drying raisins, date palm protection paper, and fertilizer and pesticide sacks or containers, where the sacks or containers are emptied in the field.
- 12 Particulate Matter (PM): Any airborne finely divided material, except uncombined water, which exists as a solid or liquid at standard conditions (e.g., dust, smoke, mist, fumes or smog).
- 13 PM10: Particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers.
- 14 Permissive-Burn Day, or burn day: Any day on which agricultural burning, including prescribed burning, is not prohibited by the state board and burning is authorized by the air district consistent with its open burning rules.
- 15 Pre-Fire Fuel Treatment: Techniques which can reasonably be employed prior to prescribed burning in order to reduce the emissions that would otherwise be produced in a prescribed fire.
- 16 Prescribed Fire: Any fire ignited by management actions to meet specific objectives, and includes naturally-ignited wildland fires managed for resource benefits.
- 17 Protection Agency: Any agency with the responsibility and authority to protect people, property, and the environment from fire, and having jurisdiction within a district or region.
- 18 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.
- 19 Region: Two or more air districts within an air basin or adjoining air basin that sign a memorandum of understanding to implement a coordinated regional smoke management program pursuant to the requirements of Article 2 of Title 17.
- 20 Seventy-Two Hour Outlook: A prediction of the meteorological and air quality conditions that are expected to exist for a specific prescribed burn in a specific area 72 hours from the day of the prediction.
- 21 Smoke Management Plan: A document prepared for each fire by land managers or fire managers that provides the information and procedures required by the air district to minimize smoke impacts of the proposed burn project.

- 22 Smoke Management Prescription: Measurable criteria 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.
- 23 Smoke Management Program: The program described in these guidelines.
- 24 Smoke Sensitive Areas: Are populated areas and other areas where the air district determines that smoke and air pollutants can adversely affect public health or welfare. Such areas can include, but are not limited to, towns and villages, campgrounds, trails, populated recreational areas, hospitals, nursing homes, schools, roads, airports, public events, shopping centers, and mandatory Class I areas.
- 25 Wildfire: An unwanted wildland fire.
- 26 Wildland: An area where development is generally limited to roads, railroads, power lines, and widely scattered structures. Such land is not cultivated (i.e., the soil is disturbed less frequently than once in 10 years), is not fallow, and is not in the United States Department of Agriculture (USDA) Conservation Reserve Program. The land may be neglected altogether or managed for such purposes as wood or forage production, wildlife, recreation, wetlands, or protective plant cover.
- 26.1 For California Department of Forestry (CDF) only, Wildland as specified in California Public Resources Code (PRC) section 4464(a) means any land that is classified as a state responsibility area pursuant to Article 3 (commencing with Section 4125) of Chapter 1, Part 2 of Division 4 and includes any such land having a plant cover consisting principally of grasses, forbs, or shrubs that are valuable for forage. Wildland also means any lands that are contiguous to lands classified as a state responsibility area if wildland fuel accumulation is such that a wildland fire occurring on these lands would pose a threat to the adjacent state responsibility area.
- 27 Wildland fire: Any non-structural fire, other than prescribed fire, that occurs in the wildland.
- 27.1.1 For CDF only, wildland fire as specified in PRC section 4464© means any uncontrolled fire burning on wildland.
- 28 Wildland/Urban Interface: The line , area, or zone where structures and other human development meet or intermingle with the wildland.

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:2 Burning on No-Burn Days

Adopt 8/10/71, Repealed/Adopted 6/16/92, Repealed/Adopted 6/19/01

- 1 An agricultural burning permit shall not be valid on a no-burn day and a person shall not knowingly set or permit burning on a no-burn day. For the purpose of Regulation III, a person shall be deemed to have permitted burning if he or she permits the setting or use of such fires on land under his or her control or by employees or other persons under his or her control.
- 2 Except as otherwise authorized by the Air Pollution Control Officer no person shall set, or allow agricultural burning on days within a period prohibited by the California Air Resources Board pursuant to Section 41855 of the Health and Safety Code.
- 3 The Air Pollution Control Officer, by special permit, may authorize agricultural burning, including prescribed burning on days designated by the ARB as no-burn days if the denial of such permit would threaten imminent and substantial economic loss. In authorizing such burning, the Air Pollution Officer shall limit the amount of material which can be burned in any one day and only authorize burning which is not likely to cause or contribute to exceedences or result in smoke impacts to smoke sensitive areas.
- 4 Empty sacks or empty containers from fertilizer and pesticide used in conjunction with agricultural operations, where the sacks or containers are emptied in the field, may be burned on no-burn days provided said burning is accomplished at the site of application and downwind from any susceptible crops or persons and the burner complies with section [3](#) above.

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT  
Rule 3:3 Exceptions  
Adopt 8/10/71, Repealed 6/19/01

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:4 Fire Prevention

Adopt 8/10/71, Repealed/Adopted 12/15/98

- 1 Nothing in these rules is intended to permit open burning of agricultural wastes on days when such open burning is prohibited by public fire protection agencies for purposes of fire control or prevention.

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT  
Rule 3:5 Burning Permits  
Adopt 8/10/71, Amended 06/16/1992; Repealed/Adopted 06/19/2001

- 1 No person shall knowingly set or allow agricultural or prescribed burning unless he or she has a valid permit from the District and designated agency when required. No burning shall be conducted pursuant to such permit without specific District approval consistent with these guidelines. Burning conducted pursuant to each permit must comply with all conditions specified on the permit. A violation of this subsection is a violation of section 41852 of the California Health and Safety Code.
- 2 The form of burning permits shall be prepared by the District in consultation with the designated agencies.
- 3 The form of the permit shall contain the following words or words of similar import: "This permit is valid only on those days during which agricultural burning, including prescribed burning, is not prohibited by the State Air Resources Board or by an air district pursuant to section 41855 of the Health and Safety Code, and when burning on the lands identified herein has been approved by the District".
- 4 The District shall provide the designated agencies within the District a copy of these guidelines, related information on state laws and District rules and regulations, and other information as appropriate.
- 5 Permits issued by designated agencies shall be subject to these guidelines and to the rules and regulations of the District. Designated agencies shall submit to the District information as specified by the District.
- 6 Each applicant for a permit shall provide information required by the designated agency for fire protection purposes.
- 7 Each applicant for a permit shall provide information requested by the District.
- 8 No agricultural burning shall take place unless a valid burn permit, issued by the Air Pollution Control Officer or designee, has been acquired by the person in control of the property, or his or her agent, where the burning is to take place and the burning is conducted in accordance with Regulations II and III. The person in control of said property is strictly liable for any unauthorized burning which takes place. For purposes of this Rule, the person in control of the property is the person who exercises possessory rights over the property.
- 9 Notice of intent to burn: Prior to ignition of any agricultural wastes pursuant to a permit issued in accordance with these rules the permittee shall give notice of intent to the District along with other information such as crop acreage, or tons, that the agency requires.

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT  
Rule 3:6 Preparation of Agricultural Waste  
Adopt 8/10/71, Amended 08/04/1987, Repealed/Adopted 06/19/2001

- 1 Agricultural wastes to be burned shall be free of material that is not produced on the property or in an agricultural or prescribed burning operation. Material not to be burned includes, but is not limited to, tires, rubbish, plastic, treated wood, construction/demolition debris, or material containing asbestos.
- 2 Agricultural waste must be arranged so it will burn with a minimum of smoke to the greatest extent feasible.
- 3 Agricultural wastes to be burned shall be reasonably free of dirt, soil and visible moisture.
- 4 Minimum Drying Period: Except as otherwise authorized by the Air Pollution Control Officer no person shall knowingly set or allow an open outdoor fire to burn agricultural wastes that have not been dried for a minimum period between cutting, harvesting, or removal, and burning set forth as follows:

Wood waste:

Under 6" diameter	15 days
Between 6" and 12"	30 days
Between 12" and 24"	45 days
More than 24"	60 days
Waste from field crops other than rice	7 days

- 4.1 Rice Straw Burning Requirements: All rice harvesting shall employ a mechanical straw spreader to ensure even distribution of the straw with the following exceptions:
  - 4.1.1 Rice straw may be left in rows provided it meets drying time criteria prior to a burn as described in section [5](#) below.
  - 4.1.2 Rice straw may also be left standing provided it is dried and meets the crackle test criteria described in section [5.2](#) below prior to burning.
- 5 After harvest no spread rice straw shall be burned prior to three-day drying period, and no rowed rice straw shall be, burned prior to a ten-day drying period, unless the rice straw makes an audible crackle when tested just prior to burning with the following test method:
  - 5.1 When checking the field for moisture, a composite sample, of straw from under the mat, in the center of the mat and from different areas of the field shall be taken to insure a representative sample. A handful of straw from each area will give a good indication. Rice straw is dry enough to burn if a handful of straw selected as described above crackles when it is bent sharply.
  - 5.2 After a rain exceeding 0.15 inches (fifteen hundredths of an inch), notwithstanding Section E. above, rice straw shall not be burned unless the straw makes an audible crackle when tested just prior to burning with the testing method described in [5.1](#), above.

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:7 Ignition Methods

Adopt 8/10/71

- 1 Rice, barley, oat and wheat straw shall be ignited only by stripfiring into-the-wind or except under a special permit of the district issued when and where extreme fire hazards are declared by a public fire protection agency to exist, or where crops are determined by the Air Pollution Control Officer not to lend themselves to these techniques.

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT  
Rule 3:8 Ignition Devices  
Adopt 8/10/71

- 1 All agricultural waste burning shall be ignited with ignition devices approved by the Air Pollution Control Officer.

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:9 Burning Hours

Adopt 8/10/71, Repealed/Adopted 06/19/2001

1 No field crop burning shall commence before 10:00 a.m. nor after 5:00 p.m. of any day, unless local conditions indicate that other hours are appropriate.

1.1 Burning hours for other crops shall be set by the Air Pollution Control Officer.

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT  
Rule 3:10 Restricted Burning Days  
Adopt 8/10/71, Repealed 6/19/01

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:11 Restricted Burning

Adopt 8/10/71, Amend 08/04/87, Repealed/Adopted 6/19/01

- 1 During the period of October 1 through November 15 of each year, the daily acreage on permissive burn days of open burning in agricultural operations in the growing of crops or raising of fowl or animals shall be restricted to that amount allotted by the Sacramento Valley Air Basin Control Council in guidelines established prior to September 15th of each year.
  - 1.1 Notwithstanding the above, the aforementioned acreage allotments shall not include burning conducted above 2000 feet mean elevation for the purposes of forest management and/or range improvement as defined within these regulation.
- 2 The daily acreage on permissive burn days of open burning in agricultural operations in the growing of crops and or raising of fowl or animals shall be restricted to that amount allotted by the Sacramento Valley Basinwide Control Council's Smoke Management Program.

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:12 General Requirements For All Prescribed Burning and Prescribed Fires, Including Forest Management, Range Improvement, and Wildland Vegetation Management Burning  
Adopt 8/10/71, Amend to 3:13, Adopt New 08/04/87, Amend 4/25/89, Repealed/Adopted 6/19/01

- 1 All planned burn projects for a calendar year shall be registered with the District annually prior to April 1 and updates to the scheduled burn dates shall be provided with a minimum of 7 days notice thereafter as new information becomes available. Actual acreage burned shall be reported annually as required by the District.
- 2 Smoke Management Plans (SMPs) shall be submitted to the District for review and approval by any person or entity proposing to burn more than 10 acres in size or proposing to burn a project that would produce more than 1 ton of particulate matter a minimum of 15 day prior to the burn. SMPs must contain, at a minimum, the following information:
  - 2.1 Location, types, and amounts of material to be burned;
  - 2.2 Expected duration of the fire from ignition to extinction;
  - 2.3 Identification of responsible personnel, including telephone contacts; and
  - 2.4 Identification and location of all smoke sensitive areas.
- 3 Smoke Management Plans (SMPs) shall be submitted to the District for review and approval by any person or entity proposing to burn more than 100 acres in size or proposing to burn a project that would produce more than 10 tons of particulate matter a minimum of 15 days prior to the burn. SMPs must contain, at a minimum, the information contained in subsection 2 above plus the following additional information:
  - 3.1 Identification of meteorological conditions necessary for burning
  - 3.2 The smoke management criteria the land manager or his/her designee will use for making burn ignition decisions;
  - 3.3 Projections, including a map, of where the smoke from burns is expected to travel, both day and night;
  - 3.4 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;
  - 3.5 An evaluation of alternatives to burning considered (if an analysis of alternatives has been prepared as part of the environmental documentation required for the burn project pursuant to the National Environmental Policy Act (NEPA) or the California Environmental Quality Act (CEQA), as applicable, the analysis may be attached to the smoke management plan in satisfaction of this requirement); and
  - 3.6 Discussion of public notification and education procedures, including appropriate signage at burn sites, and procedures for public reporting of smoke complaints.
- 4 If smoke may impact smoke sensitive areas, appropriate monitoring, which may include visual monitoring, ambient particulate matter monitoring or other monitoring approved by the District, as required by the District, shall be provided by any person or entity planning the following burn projects:
  - 4.1 Projects greater than 250 acres;
  - 4.2 Projects that will continue burning or producing smoke overnight;
  - 4.3 Projects conducted near smoke sensitive areas; or
  - 4.4 As otherwise required by the District
- 5 Daily coordination between the land manager or his/her designee and the District shall be required for multi-day burns which may impact smoke sensitive areas, to affirm that the burn project remains within the conditions specified in the smoke management plan, or whether contingency actions are necessary. The District shall also

consult with the California Air Resources Board (CARB) on multi-day burns having the potential to impact smoke sensitive areas in order to receive guidance regarding CARB procedures for review and approval.

- 6 For natural ignitions on a no-burn day, the initial “go/no-go” decision to manage the fire for resource benefit will be a “no-go” unless:
  - 6.1 After consultation with the District, the District decides for smoke management purposes, that the burn can be managed for resource benefit, or
  - 6.2 For periods of less than 24 hours, a reasonable effort has been made to contact the District, or if the District is not available, the ARB, or
  - 6.3 After 24 hours, the District has been contacted, or if the District is not available, the ARB has been contacted and concurs that the burn can be managed for resource benefit.
  - 6.4 The no-go decision does not necessarily mean that the fire must be extinguished, but that the fire cannot be considered as a prescribed fire.
- 7 Smoke management plans shall be submitted by the appropriate land manager to the District within 72 hours of the start of a naturally-ignited wildland fire managed for resource benefits that is expected to exceed 10 acres in size.
- 8 All conditions and requirements stated in the smoke management plan of any prescribed burn project must be verified by the land manager or his/her designee to be met on the day of the burn event and prior to ignition.
- 9 A post-burn smoke management evaluation shall be submitted to the District within 45 days after the burn takes place by any person or entity conducting a prescribed burn project larger than 250 acres or managing a naturally-ignited wildland fire exceeding 250 acres.
- 10 Vegetation to be burned under a prescribed burn plan shall be in a condition that will minimize the smoke emitted during combustion when feasible, considering safety and other factors. The material to be burned shall be piled whenever possible, unless good silviculture practices or ecological goals dictate otherwise.
- 11 No prescribed burning of any land area comprising more than 10 acres shall be conducted pursuant to such permit without specific District approval on the day of the burn. Burning conducted pursuant to each permit must comply with all conditions specified on the permit and conform to the prescription for the burn as outlined in the smoke management plan submitted to the District for approval.
  - 11.1 The permit applicant shall file with the District a statement from the Department of Fish and Game certifying that the burn is desirable and proper if the burn is to be done primarily for improvement of land for wildlife and game habitat. The Department of Fish and Game may specify the amount of brush treatment required, along with any other conditions it deems appropriate.

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT  
Rule 3:13        Range Improvement Burning  
Adopt 8/10/71, Amend (Re-number to 3:14) 8/4/87, Repealed 6/19/01

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:14 Forest Management Burning

Adopt 8/10/71, Amend (Renumbered to 3:14) 8/4/87, Repealed 6/19/01

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

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

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

1 Daily Burn Authorization System For Agricultural Burning

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

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

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

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

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

1.3.1 Type of material;

1.3.2 Amount of material;

1.3.3 Timing of each event;

1.3.4 Location of each event;

1.3.5 Existing and projected air quality;

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

1.3.7 Locations of smoke sensitive areas;

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

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

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

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

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

- 2.2 The District shall utilize air quality monitoring data from ozone and PM<sub>10</sub> monitoring equipment located in Red Bluff in addition to other air quality monitoring data available from CARB to determine local and basinwide air quality conditions as they may affect authorizations for individual agricultural and prescribed burn projects.
- 3 Personnel Resources To Be Used By The District For Meteorological Support and Burn Coordination In Authorizing Agricultural and Prescribed Burn Projects
- 3.1 The District shall utilize personnel resources of CARB Meteorology Section, and the Interagency Fire Forecasting Weather Unit (IFFWU) located in Redding for meteorological support in considering if weather conditions are favorable for each individual burn project subject to the provisions of Section [1.1](#) of this rule.
- 3.2 Coordination in authorizing individual burns shall be accomplished by a District staff member that has received initial training by CARB and/or the U.S. Forest Service in Smoke Management and Meteorology and shall be through consultation with the Northeast Air Alliance, adjacent air district staff, CARB, the Sacramento Valley Basinwide Agricultural Burning Coordinator, and local fire prevention agencies.
- 4 Procedures For Issuing Notice of Permissive Burn, Marginal Burn, or No-Burn Days
- 4.1 Notice of permissive burn, marginal burn, or no-burn days shall be disseminated by the District or designated agency on the District Burn Day Information Recording each day by 8:30 AM . In order for any person or entity to conduct burning on a given day, the Burn Day Information Recording must be accessed by the burner to determine whether that particular day has been designated as a burn day, unless prior authorization has been given in accordance with Section [1.1](#) above. If a marginal burn day has been designated for a particular day, only those burn projects that the District has determined will not impact smoke sensitive areas and have been specifically authorized by the District for that particular day shall be allowed to burn. In making the determinations, the District will rely on information obtained from the CARB Meteorology Section and the Redding IFFWU. No project shall be allowed to burn on a no-burn day unless granted permission to burn under the provisions of District Rule 3:2 3.
- 4.2 In placing the burn day information on the Burn Day Information Recording, the District shall rely on the burn day determination for that particular day as made by the CARB Meteorology Section for all locations within Tehama County, unless the Air Pollution Control Officer has determined that the District must be more restrictive on a particular day and make that day a no-burn due to the air quality concerns.
- 4.3 A no-burn day notice shall be issued for agricultural burning, including prescribed burning, by the District when open burning is prohibited by fire protection agencies during red flag warnings (high fire danger) for fire control or prevention.
- 4.4 A no-burn day notice shall be issued by District staff regardless of the burn day determination made by the CARB Meteorology Section for all burning (including residential burning) if the District staff has predicted, using available air monitoring and meteorological data, that a violation of the federal ambient air standard for ozone is likely to occur on the day for which the notice is issued.
- 5 Procedures For Issuing 48-hour Forecasts, 72-hour Outlooks, and 96-hour Trends For Specific Prescribed Burns
- 5.1 Upon request from a permittee through a designated agency, and to the district, seven days in advance of a specific range improvement or forest management burn at any elevation , a forecast will be issued by CARB forty-eight (48) hours prior to the date scheduled for the burn. W ithout further request, a daily forecast will continue to be issued as long as requested.



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

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

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

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

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

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

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

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

10 Fees

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

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

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:16 Penalties

Adopted 6/19/01

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

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