

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Adopt 8/10/71, Amended 8/4/87, Amended 6/16/92, Repealed/Adopted 6/19/01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