

**Board Administration and Regulatory Coordination Unit**

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**Division 3. Air Resources Board**

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**Chapter 1. Air Resources Board**

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**Subchapter 2. Agricultural Burning Guidelines**

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**Article 2. Implementation Plan**

**§ 80150. Special Requirements for Open Burning in Agricultural Operations in the Growing of Crops or Raising of Fowl or Animals.**

(a) The district smoke management program shall include rules and regulations or, until April 1, 2003, other enforceable mechanisms that:

(1) Require rice, barley, oat, and wheat straw to be ignited only by stripfiring into the wind or by backfiring, 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 district not to lend themselves to these techniques.

(2) Require burning hours to be set so that no field crop burning shall commence before 10:00 a.m. or after 5:00 p.m. of any day, unless local conditions indicate that other hours are appropriate.

(b) A district with no agricultural operations in the growing of crops or raising of fowl or animals within its jurisdiction may request to be exempted from the requirements of this section.

(c) Rice Straw Burning Requirements. Districts within the boundaries of the Sacramento Valley Air Basin and the San Joaquin Valley Air Basin shall also include in the program rules and regulations that:

(1) Require all rice harvesting to employ a mechanical straw spreader to ensure even distribution of the straw, except that rice straw may be left in rows, provided it meets drying time criterion prior to a burn as described in paragraph (2) below. Rice straw may also be left standing provided it is dried and meets the crackle test criteria described below prior to burning.

(2) Require that after harvest no spread rice straw shall be burned prior to a 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 testing method: 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 ensure 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.

(3) Require that after a rain exceeding 0.15 inch (fifteen hundredths of an inch), 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 paragraph (2), above.

NOTE: Authority cited: Sections 39600, 39601, 41856 and 41859, Health and Safety Code. Reference: Sections 40702, 41850, 41856, 41857, 41858, 41859, 41863 and 41865, Health and Safety Code.

REFERENCE