

El Dorado County Air Pollution Control District Smoke Management Program

District Adoption Date: (insert)
ARB Approval Date: (insert)

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Introduction and Background

El Dorado County is located 130 miles east of San Francisco, and Placerville, the government center of El Dorado County, is located 120 miles southwest of Reno. El Dorado County encompasses 1,876 square miles or 1,096,960 acres and is bounded by Placer County to the north, the State of Nevada to the east, Alpine County to the southeast, Amador County to the south and Sacramento County to the west.

El Dorado County's rapid growth is expected to continue into the next century. The 1997 estimated population of 144,900 is a 4.2 percent increase over the county's population in 1990. The county's population is expected to be over 180,000 by 2005, an increase of 24 percent over 1997. The fastest growing community will continue to be El Dorado Hills located along the western boundary of the county.

Although characterized by warm, dry summers and wet winters, the regions of El Dorado County exhibit considerable climatic diversity. The High Country region and Sierra Nevada mountains receive heavy snowfall during the winter, while weather in the Gold Country and Valley areas is usually milder, with the Gold Country exhibiting winter climatic conditions approximating the High Country and summer conditions closer to those in the Valley.

Predominately the surface winds in El Dorado County vary from the valley through the foothills into the high country. During the spring, summer and fall seasons, temperature inversions are a normal occurrence, which prohibits good dispersion of smoke and other air pollutants.

El Dorado County is one of seven air pollution control districts that make up the Mountain Counties Air Basin (MCAB). The MCAB consists of Amador, Calaveras, El Dorado (western slope), Mariposa, Northern Sierra (Nevada, Plumas, and Sierra Counties), Placer (a portion thereof), and Tuolumne air pollution control districts. The seven air districts work closely together employing a regional approach to air pollution control.

Additionally, El Dorado County is one of four air districts in the Lake Tahoe Air Basin (LTAB). The LTAB consists of Placer and El Dorado Counties in California and Douglas and Washoe Counties in Nevada).

This Smoke Management Program ("Program") is intended to describe El Dorado County Air Pollution Control District's ("District") methods of implementing §80100-80330 of the California Code of Regulations Title 17, Smoke Management Guidelines for Agricultural and Prescribed Burning, and of ensuring compliance with District Regulation III - Open Burning Rule 300. One of the District's goals is to achieve and to maintain all state and federal ambient air quality standards related to particulate matter through implementation of emission reducing measures, which includes this Program. The Program's objectives are to allow for the continuation of agricultural and prescribed burning as a resource management tool and provide increased opportunities for agricultural and prescribed burning while at the same time minimizing smoke impacts to the public. The Smoke Management Program described herein will be effective for agricultural and prescribed burning conducted in the Mountain Counties Air Basin or the Lake Tahoe Air Basin portion of El Dorado County.

The District derives its authority to implement and enforce this Program from Regulation III, Rule 300 Open Burning. This rule requires applicants for agricultural and prescribed burning to supply such information as is required by the District prior to setting or allowing an outdoor fire. Additionally, sections 300.3 F., Smoke Management; section 300.3 C., Minimum Drying Times; Exceptions to Rule 300, section 300.1 B., Exemption, Agricultural Burning, section 300.1 C., Exemption, Burning Permit, section 300.1 D., Exemption, Minimum Drying Times; section 300.1 E., Nonagricultural Burning; section 300.1 F., Exemption, Wildland Vegetation Management, require the District to regulate burning under specific conditions related to agricultural and prescribed burning activities.

This Program was prepared in conjunction with the air districts participating in the Mountain Counties Air Basin Technical Advisory Committee. Public and private land management agencies have been given the opportunity to comment on this Program through their participation in the Mountain Counties Air Basin Smoke Management Alliance (“MCABSMA”). This also included those agencies within the El Dorado County portion of the Lake Tahoe Air Basin. Additionally, the District provided a 30-day public notice and comment period prior to District Board of Directors adoption in a public hearing.

The District plans to continue participating in the MCABSMA which provides a forum to develop agreements with public and private land management agencies for more detailed smoke management activities and associated tools. The MCABSMA Charter is attached as Appendix A.

The District’s current regulations provide the authority to implement and enforce this Program, however, in the future, there may be proposed changes to Regulation III that fully outline this Program. Any changes needed to fully develop and implement the Program will be drafted and after public review adopted by the District’s governing board.

This Program is divided into six sections: permitting, registration, authorization, planning, resources, and enforcement with supporting appendices. Each section outlines the methods used by District staff to administer the program. The appendices include pertinent documents that support the Program. Smoke management can be affected by many variables, and as such, this program may not address every situation. Therefore the Program has been designed to provide general direction, but should not override common sense in regulating burning in the District.

Section 1- Burn Permits

District staff issues air permits for all agricultural and prescribed burning projects. Residential burn/fire permits are issued by the California Department of Forestry (CDF) and local fire districts. The air permit is issued at the District’s office but also may be issued via mail. The air permit includes conditions that limit burning to permissive burn days, limit types of material to be burned, require material that is burned to be free of moisture and dirt, and require approved ignition devices be used. The permit allows the District to add conditions to limit the amount of material to be burned or burn hours if necessary. In addition to the air permit, land managers/burners must also submit a smoke management plan for prescribed burning projects.

- a) All agricultural and prescribed burning requires a valid air permit from the District. The most current version of the air permit application is attached as Appendix B. An approved Smoke Management Plan serves as a conditional permit to burn when combined with the air permit.

The most current version of the Smoke Management Plan application is attached as Appendix C.

- b) A valid burn permit may also be required from the fire agency that has jurisdiction in the area of the proposed burn project.
- c) Burning conducted pursuant to such permits issued by the District and a fire agency must comply with all the conditions specified on such permits including the approval of a Smoke Management Plan. See Section 4 for further discussion on the Smoke Management Plan requirements. Failure to abide by permit conditions is a violation of Section 41852 of the California Health and Safety Code and of District Rule 501 General Permit Requirements, Section 501.4 E., Conditional Approval.
- d) All permits issued for agricultural and prescribed burning by the District and the fire agency must 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 air district”.
- e) The District may issue special permits for agricultural or prescribed burning on no-burn days if denial of such permits would threaten imminent and substantial economic loss. The District limits the amount of burning that can occur pursuant to the issuance of such a permit to the extent that it ensures no exceedances of air quality standards or smoke impacts to smoke sensitive areas. Each applicant for a no-burn day permit shall submit a completed Authorization to Burn on a No Burn Day application to the District to make this determination.

Section 2 - Burn Registration and Reporting

- a) All persons who want to conduct prescribed burning in the District in any particular calendar year must register their planned burn projects with the District. The MCABSMA members register their burns semi-annually prior to the spring and fall burn seasons. Updates and late additions to this registration process are accepted from members and non-members. The burn registration must include the name of the permittee, including a contact person with phone number; a listing of all projects planned, with legal descriptions of their locations (township, range, section #); and an estimate of the total acreage and/or tons of material to be burned.
- b) Each day during the burn season, land managers/burners submit a daily report to the District. This report shall at a minimum list the project name, date, location and acres or amounts of material burned. The Daily Authorization Request & Information Reporting (Appendix D) or other suitable form can be used for this purpose.
- c) A report of the agricultural and prescribed burning conducted each calendar year in the District is submitted to ARB within 45 days of the end of each calendar year. The report

includes the estimated tonnage and/or acreage for each type of waste burned from both agricultural and prescribed burning by county.

- d) The District also reports all special permits (no-burn day permits) issued each calendar year within 45 days of the end of each calendar year. This report includes the number of such permits issued, the date of issuance of each permit, the person or persons to whom the permit was issued, an estimate of tonnage and/or acreage for each type of waste burned pursuant to the permit, and a summary of the reasons why denial of each permit would have threatened imminent and substantial economic loss.
- e) Upon full implementation of the Prescribed Fire Incident Reporting System (PFIRS) or other suitable electronic reporting system, and upon proven effectiveness of this system, the District will fully participate to the greatest extent possible and encourage, if not require, MCABSMA members full cooperation and participation.

Section 3 - Burn Authorization System

- a) The purpose of the burn authorization system is to minimize smoke impacts in smoke sensitive areas, avoid cumulative smoke impacts, and prevent public nuisance.
- b) The District operates a daily burn authorization system that regulates agricultural and prescribed burning. The burn authorization system specifies the amount, timing, and location for each burn project within the District boundaries. As such all burn authorization requests are evaluated first by these considerations.
- c) In evaluating burn authorization requests the Air District considers the following factors:
 - air quality;
 - meteorological conditions expected during burn;
 - types and amounts of materials to be burned;
 - location and timing of materials to be burned;
 - locations of smoke sensitive receptors;
 - smoke from all burning activities, including burning in neighboring air districts or regions which may affect the air quality in the District; and
 - historical data from previous burning.

Burn authorizations may be issued to land managers/burners for burn projects 24 hours in advance of ignition of each project. To obtain District authorization to burn any project, the land manager or burner must contact the District via telephone, fax, E-mail, or in person announcing the intent to burn. The burner must submit the Daily Authorization Request & Information Reporting or other suitable form to the District (Appendix D). Using the above criteria, the District staff would either grant or deny authorization to burn. When two or more burns are proposed for the same day and in the same general location, the burn agencies will coordinate amongst themselves and decide which burn will proceed. Once a burn authorization is granted it is only rescinded if meteorological conditions change such that adverse air quality impacts are likely.

- d) A burn authorization from the District only authorizes the ignition of a burn if the smoke management conditions specified in the project's Smoke Management Plan are met at the time of ignition and for the duration of the burn. A burn authorization does not relieve the burner from meeting the conditions of the smoke management plan. It is the burner's responsibility to ensure all conditions listed in the Smoke Management Plan are met prior to ignition. To validate the specific smoke transport conditions that exist on each site the land manager/burner will launch a helium-filled balloon, set a test fire, rely on local weather forecasts, spot weather forecasts, RAWS or other validation method, as specified in their Smoke Management Plan.
- e) To receive a burn authorization for burning on a No Burn Day, the land manager/burner must submit a completed Authorization to Burn on a No Burn Day Burn application to the District as soon as possible prior to ignition. As a prerequisite to burning on a No Burn Day, the District requires that the burn project be entered with ARB and shall have received the 48/72/96 notices for at least 3 days prior to ignition. In addition, the District may require the land manager/burner to supply on-site or RAWS meteorological weather observations, site specific weather forecasts, or other information necessary to assist in authorizing the burn project.
- f) In order to assist the land managers/burners in their planning process, the District may require the land managers/burners to enter their burn project with ARB to receive a 48-hour forecast, 72-hour outlook, and a 96-hour trend. To accomplish this, the land manager/burner shall submit a completed CB-3 form to the ARB and the District. The land manager/burner may contact the Air Resources Board after 4 p.m. Monday through Friday to obtain the forecast information. If requested, the District will contact the burner with this information. On weekends and holidays, the land managers/burners may need to call the ARB before 4 p.m. These forecasts are not a substitute for a burn authorization, and contain no guarantee that a favorable forecast will necessarily lead to a burn authorization approval, but are intended solely to help in burn project planning.
- g) The District maintains a daily log, recording burn authorizations, location of the burns, amounts of material burned, wildfires occurring that day, and any other relevant information related to smoke impacts. This data is used in the burn authorization process for subsequent days and in evaluating the success and efficiency of the smoke management program. The District also maintains maps indicating burn locations in the District for easy reference of daily burning, location of smoke sensitive receptors, and potential cumulative smoke impacts from other burning in the region.
- h) Multi-day burns or burns greater than 250 acres to be burned in one day require authorization on a daily basis from the District in conjunction through the ARB's consultation process.
- i) If smoke from a project may impact other air districts or states, District staff shall notify the appropriate air quality agency by faxing, or by other electronic means, the Controlled Burn/Prescribed Fire Notification (Appendix E) as soon as practical and prior to ignition. Any

concerns these agencies have over the planned burn will be incorporated into the authorization.

- j) If increased burning activities causes competition for burning between burn agencies, the District will, in coordination with MCABSMA members, establish guidelines for prioritizing all agricultural burns, including prescribed burns. In considering priorities, the District shall consider the public benefits of burn projects, including safety, public health, forest health and wildfire prevention, ecological needs, economic concerns, and disease and pest prevention. Efforts to reduce smoke emissions, such as removal of excess material, shall also be considered.
- k) CDF maintains the District's burn day information messaging for the Lake Tahoe Air Basin (South Lake Tahoe at 1-888-332-2876 (toll free) and the western slope at (530) 621-5897 or 1-866-621-5897 (toll free) to announce the daily burn day decision in the District. The District consults with the ARB. and fire agencies as necessary to make the final determination.

Section 4 - Smoke Management Planning

- a) Each prescribed burn project will be registered for smoke management planning purposes as described in Section 2a.
- b) Burn projects less than 10 acres in size or that will emit less than one ton of particulate matter may only need to obtain an air permit. Burn projects greater than 10 acres or that will emit in excess of one ton of particulate matter must complete a District Smoke Management Plan. Before issuing an authorization to burn, the District, at its discretion, may require additional smoke management procedures to be used if a burn:
 - 1) is greater than 100 acres in size,
 - 2) may impact smoke sensitive areas, or
 - 3) presents other potential problems.
- c) Each land manager/burner will follow the minimum smoke management guidelines listed below for each burn project.
 - 1) Meteorological Prescription: Provide a detailed meteorological prescription that must be met to proceed with the burn. At a minimum, the prescription must include the acceptable wind direction. Other considerations may include wind speed, temperature profile, winds aloft, humidity, temperature, actual and predicted inversions, burn day status, and forecast precipitation. The District may require weather forecasts to be obtained to make smoke management decisions for the burn project.
 - 2) Contingency Actions: What actions will a land manager/burner take if smoke from the burn project produces unacceptable smoke impacts. Actions may include: stopping further ignitions, active fire suppression, rapid mop up, and other appropriate techniques that are discussed with the District.

- 3) Smoke Mitigation: What actions will be taken to minimize smoke from the burn. These may include: minimum drying times/fuel moistures, piling and/or windrowing materials, active mop up of smoldering, pretreatment of fuels, and other appropriate techniques.
 - 4) Burning Alternatives: Describe the alternatives to burning which have been considered for this burn project and the basis of why the alternatives were not feasible or justified. Alternatives are listed in the SMP. Additionally for projects requiring NEPA/CEQA environmental documentation, alternatives to burning may be addressed in the air quality section of such documents. The location of the documents is to be noted in the SMP.
 - 5) Smoke Sensitive Receptors: A description of the smoke sensitive receptors, such as towns, schools, or roads, is required. A map showing these receptors and the predicted smoke travel should be submitted.
 - 6) Public Notification: Describe how the potentially affected public will be notified of the burn project. This may include one or all of the following: media announcements, phone contact lists, road signs, Internet posting and other appropriate techniques.
 - 7) Complaint Handling Procedures: A procedure shall be developed that insures that all complaints regarding smoke impacts received by a company or individual conducting the burn are promptly reported to the District.
 - 8) Smoke Monitoring: Describe the procedures that will be used to monitor and track the smoke transport from the burn project, which may include: a smoke spotter to check on downwind sites, ambient air monitoring, aerial monitoring, or other appropriate methods.
- d) Naturally Ignited Wildland Fires: A District Smoke Management Plan shall be completed and submitted within 72 hours from the start of a burn if the size of the fire is expected to exceed ten acres in size and will be managed for resource benefit. When a natural ignition occurs on a no-burn day, the initial “go/no-go” decision to manage the fire for resource benefit will be a “no-go” unless:
- 1) After consultation with the District, staff decide, for smoke management purposes, that the burn can be managed for resource benefit; or
 - 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 Air Resources Board (ARB); or
 - 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.
- A “no-go” decision does not necessarily mean that the fire must be extinguished, but that the fire cannot be considered as a prescribed fire.
- e) District staff will maintain the highest possible level of training with regards to smoke management. Staff that are assigned to the District’s agriculture and prescribed program will

attend smoke management workshops, seminars, and training sessions. Participation and cooperation in smoke management alliances, Interagency Air and Smoke Council (IASC) meetings, and Mountain Counties Air Basin Technical Advisory Committees will strongly be encouraged, if not mandatory. When the Prescribed Fire Incident Reporting System (PFIRS) or some other electronic substitute, becomes available, the District will participate to the fullest extent possible.

- f) For those burns that are either in excess of 250 acres, created smoke impacts or were burned on No Burn Days, the responsible burn agency must complete a District Project Post Burn Form. These are to be completed and returned to the District within 30 days from the completion of the burn project. This information will then be reviewed and can assist in issuing burn authorizations for similar projects.
- g) All agricultural burning projects (for the purpose of this subsection excludes prescribed burn projects) will be registered with the District for smoke management planning purposes through the permitting process as described in Section 1. Agricultural burning projects are required to abide by air permit conditions that include general smoke management under Regulation III.

Section 5 - District Resources

a) General District Resources

The District consists of 6 staff and a five (5) member Board of Directors. The Burn Program has a program manager who is overseen by the Air Pollution Control Officer who is responsible for carrying out this Program, especially the permitting, enforcement and decision-making functions. The District will rely on the ARB for forecasting and the MCABSMA for planning.

b) Meteorological Resources

The District relies primarily on the ARB to provide the daily burn day decision and the 48/72/96 forecasts to guide the burn authorization. To augment its forecasting tools, the ARB funds a local meteorological data gathering flight out of Columbia (Tuolumne County) to obtain more accurate data on atmospheric conditions in the Mountain Counties Air Basin.

The District utilizes the Internet as a tool to access general weather trends, RAWS data, and fire weather forecast data for specific burns.

The District may also utilize special weather forecasts obtained by burn agencies through the Interagency Fire Forecast and Warning Unit, especially for burn projects that are large or located near sensitive receptors.

The District currently possesses portable visual equipment (cameras, binoculars) to observe and document smoke impacts, plume dispersion, and other items.

c) Air Monitoring Resources

Currently there are two (2) particulate matter (“PM”) monitoring stations located within the District. Both are operated by ARB and are located in Placerville and Echo Summit. Additionally, District staff makes visual observations regarding visibility and how much smoke is impairing an area.

Section 6 - Inspection and Enforcement

- a) Subject to the constraints of time and availability District staff conduct on-site inspections of a representative number of agricultural and prescribed burns each year. Such inspections are prioritized based on the following criteria:
 - 1) active burns that are generating complaints;
 - 2) active burns that are large (100+ acres) or located near sensitive receptors;
 - 3) active burns that are conducted in an area or by a source that historically generates many complaints; and
 - 4) planned burns representing a variety of sources and fuels.
- b) Inspections of active burns document that meteorological conditions are within acceptable parameters; that the amount of acreage and/or fuel given in the burn registration and authorization is what is actually being burned; and that the burn is not impacting any sensitive receptors.
- c) Inspections of a planned burn documents that the projected acreage and/or fuel loading is consistent with that reported in the burn registration; that the meteorological prescription is reasonable for the location; and that actions taken to reduce fuel loading and/or smoke emissions have been carried out.
- d) If unacceptable smoke impacts occur to a smoke sensitive area from an authorized burn, and such impacts are verified by District staff, then the burner is promptly notified and required to institute the contingency actions as outlined in the SMP where possible.
- e) Notices of Violation issued for violations of the District's Smoke Management Program are handled according to the District's Mutual Settlement Program.