

RULE 411. WILDLAND VEGETATION MANAGEMENT BURNING

Adopted: 09/05/74 Revised: 03/10/76, 07/01/92, 11/07/01, 03/05/20

- A. No wildland vegetation management burning may be done without first having obtained a permit from the California Department of Forestry and Fire Protection or other designated agency having jurisdiction over the proposed burn locations. The form of this permit shall contain the following words or words of similar import: 'This permit is valid only on those days during which agricultural or prescribed burning is not prohibited by the State Air Resources Board or by the Air Pollution Control Officer pursuant to Section 41855 of the Health and Safety Code.'
- B. No person shall conduct wildland vegetation management burning on "no-burn" days as announced by the California Air Resources Board (ARB) for the Inyo, Mono and Alpine Counties or when such burning is prohibited by the Air Pollution Control Officer except when the Air Pollution Control Officer has authorized by special permit pursuant to Section 80120 of Title 17 of the California Code of Regulations agricultural or prescribed burning on days designated by the State Air Resources Board as no-burn days because the denial of such permit would threaten imminent and substantial economic loss. In authorizing such burning the Air Pollution Control Officer may limit the amount of acreage which can be burned in any one day and only authorize burning that is not forecasted to cause or significantly contribute to exceedances of the ambient air quality standards. Every applicant for a permit to burn on a no-burn day pursuant to this section shall provide information in writing to the Air Pollution Control Officer for evaluation, stating why the denial of such a permit would threaten imminent and substantial economic loss.
- C. Wildland vegetation management burning, when permitted, shall conform to the following criteria:
 - 1. The land manager, or their designee, shall annually or seasonally submit a potential list of burn projects to the Air Pollution Control Officer, including areas considered for potential naturally-ignited wildland fires managed for resource benefits, with updates as they occur.
 - 2. A Smoke Management Plan shall be submitted for all burn projects greater than 1 acre in size or estimated to produce more than 1 ton of particulate matter. The land manager, or their designee, shall submit the smoke management plan to the Air Pollution Control Officer for review and approval at least 30 days in advance of the proposed burn project, containing at a minimum, the following information:
 - a. Location, types, and amounts of material to be burned;
 - b. Expected duration of the fire from ignition to extinction;
 - c. Identification of responsible personnel, including contact information;
 - d. Identification and location of all smoke sensitive areas; and
 - e. Procedures for public notification and education, including public outreach, appropriate signage at burn sites, and for reporting of public smoke complaints.

3. For burn projects greater than 100 acres in size or estimated to produce more than 10 tons of particulate matter the land manager, or their designee, shall submit a smoke management plan to the Air Pollution Control Officer for review and approval at least 30 days in advance of the proposed burn project, containing all the information in subsection 2 and at a minimum the following additional information:
 - a. Identification of meteorological conditions necessary for burning. The plan should include projections of where the smoke from burns is expected to travel.
 - b. The smoke management criteria the land manager or their designee will use for making burn ignition decisions.
 - c. Discussion of the actions that will be taken to minimize smoke impacts.
 - d. Specific mitigations and contingency actions (such as fire suppression or containment) that will be taken when identified thresholds or management action points occur or meteorological conditions deviate from those specified in the smoke management plan.
 - e. An evaluation of considered alternatives to burning.
 - f. Public notification procedures and methods.
4. If smoke may impact smoke sensitive areas, the land manager, or their designee, shall include in the smoke management plan; public outreach and messaging, smoke forecasting, visual monitoring, ambient particulate matter monitoring or other monitoring or mitigation measures approved by the District, as required by the Air Pollution Control Officer for the following burn projects:
 - a. Projects greater than 250 acres;
 - b. Projects that will continue burning or producing smoke overnight;
 - c. Projects conducted near smoke sensitive areas; or
 - d. As otherwise required by the Air Pollution Control Officer.
5. Daily burn authorization from the District is required for all burn projects requiring a Smoke Management Plan to minimize smoke impacts to smoke sensitive areas and avoid cumulative smoke impacts. The land manager shall request burn authorization via a method approved by the District at least 3 days in advance of the planned burn and shall specify the amount, timing and location of the burning to be completed. The District will issue daily burn authorizations at least 24-hours prior to the burn. The District's burn authorization may be contingent upon, or subject to change based on ARB burn day determination, air quality conditions, meteorological conditions, or other conditions affecting smoke dispersion. The District shall consider the following factors in reviewing a daily burn request:
 - a. ARB burn day determination or forecast;
 - b. Current and forecasted ambient air quality conditions;

- c. Forecasted meteorological conditions, including wind speeds and directions at the surface and aloft, and atmospheric stability;
 - d. Types and amounts of materials to be burned;
 - e. Location and timing of materials to be burned;
 - f. Locations of smoke sensitive areas; and
 - g. Smoke from all burning activities, including burning in neighboring air districts or regions which may affect the District or region.
6. For any burns which may impact smoke sensitive areas, the land manager or their designee, shall coordinate with and provide notification to the District and the ARB to affirm that the burn project remains within the conditions specified in the smoke management plan, or to determine whether contingency actions are necessary.
7. For any natural ignition that 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:
- a. After consultation with the District, the District decides, for smoke management purposes, that the burn can be managed for resource benefit; or
 - b. 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;
 - c. 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.

8. For any unplanned or naturally-ignited wildland fire managed for resource benefits that are expected to exceed 10 acres in size, the land manager or their designee, shall submit a smoke management plan to the District for review and approval within 72 hours of the start of a fire. In addition to the requirements for a planned ignition, Smoke management plans for unplanned or naturally-ignited wildland fire managed for resource benefits shall include:
- a. Incorporation of air quality management considerations in fire management documents and decisions.
 - b. Adaptive management based on forecasted and monitored smoke concentrations to match emissions to dispersion opportunities. The District may require limiting or postponing ignitions to avoid cumulative smoke impacts, prevent public nuisance, and prevent violations of the ambient air quality standards.
 - c. Public notification and messaging methods.
 - d. Additional forecasting, monitoring, and mitigation measures as appropriate

9. The land manager or their designee shall ensure that all conditions and requirements stated in the smoke management plan are met on the day of the burn event and prior to ignition.
 10. For burn projects greater than 250 acres, the land manager or their designee shall perform a post-burn smoke management evaluation.
 11. Vegetation shall be in a condition that will minimize the smoke emitted during combustion when feasible, considering fire safety and other factors.
 12. Material to be burned should be piled where possible unless good silvicultural practices or ecological goals dictate otherwise. Piled material shall be prepared so that it will burn with a minimum of smoke.
 13. If the burn is to be done primarily for improvement of land for wildlife and game habitat, the burn plan applicant shall file with the District a statement from the Department of Fish and Game certifying that the burn is desirable and proper. The Department of Fish and Game may specify the amount of brush treatment required, along with any other conditions it deems appropriate.
 14. Burn plans shall limit or postpone burning, or require mitigation, when the meteorological conditions and smoke impacts may cause or contribute to an exceedance of a state or federal ambient air quality standard or cause a public nuisance.
 15. Vegetation to be burned shall be free of tires, rubbish, tar paper or construction debris, and reasonably free of dirt and soil.
 16. The material to be burned shall be ignited only by devices approved by the California Department of Forestry and Fire Protection, or the local fire protection agency, and ignition shall be as rapid as practicable within applicable fire control restrictions.
 17. All burning shall conform to the applicable jurisdictional fire code(s).
 18. Burning shall be managed to minimize smoke impacts to smoke sensitive areas.
- D. The total amount of material burned in any one day may be limited or postponed by the District, taking into consideration matters which would affect the ambient air quality of the District including current and forecasted air quality conditions; meteorological conditions; the types and amounts of material to be burned; the location and timing of material to be burned; the location of smoke sensitive areas; and the cumulative smoke impacts from all burning activities within and outside the District.