



MBUAPCD

Monterey Bay Unified Air Pollution Control District
Serving Monterey, San Benito, and Santa Cruz Counties

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Information and Instructions for the Smoke Management Permit Application

This Smoke Management Plan application consists of three parts, a Project Description section, and sections A and B. **ALL APPLICANTS MUST COMPLETE THE PROJECT DESCRIPTION SECTION (pages 1 and 2).** Both sections A and B of the SMP may need to be completed depending on the burn's potential to impact smoke sensitive areas and the size of the burn. Contact the Air District at (831) 647-9411 if you require assistance in determining which other sections must be completed.

Once approved by the Air District, this application serves as your Smoke Management PLAN. Your Smoke Management Plan is good for the life of the burn project until you make changes to the project (e.g. acreage, fuels). Once your plan is approved, the Air District will issue you a Smoke Management PERMIT, which is valid for up to one year.

General Information and Requirements regarding this SMP are provided in the next two pages. Terms used in this form have the same meaning as those defined in the Air District's open burning regulation definition or the California Code of Regulations, Title 17, Section 80101. Where differences occur, the Air District's definitions apply.

Emission Factors to assist with calculating burn particulate matter emissions are provided on **pages 9 and 10 of the application form.** Contact the Air District if you have questions or need assistance with making these calculations.

The **District Review (page 11)** is for Air District use only. The **Project Description section (pages 1 and 2)** requests general information and identifies conditions for all prescribed burn projects. It identifies the permittee and relevant contact information, who the land owner is, the project name, project location, burn size, purpose of the burn, type of fuel to be burned, and estimated emissions from the burn. It provides a checklist of additional sections of the SMP that may be filled out and attached. Finally, it requests the preparer's signature, the name of the permittee or authorized representative, and the permittee or authorized representative's signature.

Section A (pages 6 - 8), must be completed and attached to the Project Description section if the burn has the potential to result in impacts to smoke sensitive areas. Smoke sensitive areas are defined as "populated areas and other areas where a 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 Class I Areas (areas that are mandatory visibility protection areas designated pursuant to section 169A of the federal Clean Air Act), which are the Pinnacles National Monument and the Ventana Wilderness.

Section B (pages 9 and 10), is a form that must be completed and attached to the Project Description section if the burn will be greater than 100 acres or will produce more than ten tons of particulate matter. Section B identifies meteorological conditions

necessary for ignition, contingency actions that will be taken if smoke impacts begin to occur from the burn, and information on consideration and use of alternatives to burning. A **Post-Burn Evaluation** form is provided on **page 11**. This form is to be used for burns greater than 250 acres or for burns that result in impacts to smoke sensitive areas.

Information may need to be extracted from the project burn plan (if available) to supplement the SMP. Air District review of the burn plan is for informational purposes only. When the burn plan is reviewed, the Air District assumes no approval authority or liability for approving the burn plan. The permittee is responsible for assuring firefighter and public safety, which is not the intent of the information included on this form.

General Information and Requirements

SMP Conditions Must Be Met on the Day of the Burn (CCR section 80160(j))

The land manager or his/her designee conducting a prescribed burn is required to 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. Ignition of a burn project will not occur unless the Air District has authorized the burn on the day of the burn.*

*CCR 80120(e) provides that an Air District may, by special permit, 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.

Conditions of Vegetative Material to be Burned (CCR section 80160 (m – p))

Material should be:

- ◆ in a condition that will minimize the smoke emitted during combustion when feasible, considering fire safety and other factors;
- ◆ piled where possible, unless good silvicultural practices or ecological goals dictate otherwise; and
- ◆ prepared so that it will burn with a minimum of smoke.

Types of Open Burns

Agricultural Waste Burning – Fires used in agricultural operations. An agricultural operation is the growing of crops, the raising of fowl, animals, or bees as a gainful occupation.

CCR Title 17, Article 1, Sec. 80100 (r):

(r) "Open burning in agricultural operations in the growing of crops or raising of fowl or animals" means:

(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.

(2) In connection with operations qualifying under paragraph (1):

- (A) The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation.
- (B) 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 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.

Backyard Burning – Burns for disposing of dry vegetation grown on the premises of a single- or two-family residence. Backyard burns may only be conducted on burn days from December 1 through April 30.

Training Burns – done by Fire Departments or by industrial facilities

Residential Burning - A single- or two-family dwelling in an unincorporated place, that is located in a sparsely populated zip code (listed in Rule 438), and is not served by weekly curbside or roadside garbage collection can possibly burn dry, non-glossy paper and cardboard in a burn barrel on permissive burn days.

Recreational Burns, which include:

- ◆ Ceremonial Fires
- ◆ Cooking Fires
- ◆ Educational Fires
- ◆ Recreational Fires
- ◆ Religious Fires
- ◆ Warming Fires

Prescribed Burns, which include:

- ◆ **Development Burns** - Burns for disposing of dry vegetation grown on a property being developed for commercial or residential purposes. Development burning may only be conducted from December 1 through April 30
- ◆ **Fire Hazard Abatement Burns**
- ◆ **Forest Management Burns** - the use of open fires, as part of a forest management practice, to remove forest debris or for forest management practices which include timber operations, silvicultural practices, or forest protection practices.
- ◆ **Levee, Reservoir, and Ditch Maintenance Burns** – can be conducted by public or private entities
- ◆ **Natural Ignition** – speak to District staff for more information.
- ◆ **Mechanized Burning** – special rules apply; talk to Air District staff.
- ◆ **Range Improvement Burns** - the use of outdoor fires to:
 - remove vegetation for wildlife or game habitat;

- remove vegetation for livestock habitat; and
- remove vegetation for the initial establishment of an agricultural practice on previously uncultivated land.
- ◆ **Right-of-Way Clearing Burns** - conducted by public entities or utilities
- ◆ **Watershed Management Burns**
- ◆ **Wildlife Habitat Improvement Burns**
- ◆ **Wildland Vegetation Management Burns** - the use of prescribed burning conducted by a public agency, or through a cooperative agreement with a private manager or contract involving a public agency, to burn land predominantly covered with chaparral (as defined in Title 14, California Code of Regulations, section 1561.1), trees, grass, or standing brush.

Determination of Smoke Sensitive Areas

Smoke sensitive areas are defined as “populated areas and other areas where an 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 Class I Areas (areas that are mandatory visibility protection areas designated pursuant to section 169A of the federal Clean Air Act, which are the Pinnacles National Monument and the Ventana Wilderness. If a burn is near a populated area, has potential for substantial emissions, has a long duration, or has the potential for poor smoke dispersion, a smoke sensitive area could be impacted and Section A of the SMP should be completed. Burners may obtain Air District assistance in determining if Section A should be completed.

Procedures for Permittees to Report Public Smoke Complaints to Air Districts to Address Smoke Management Guidelines section 80160(I)

1. The permittee shall immediately report any air quality smoke complaints received about this burn project to the Air District with jurisdiction over the burn. A phone call to the District during normal seasonal business hours will suffice. During non-business hours a fax or voicemail message will suffice.
2. The complaint report shall include the following: the location of the smoke impact, a short description of the smoke behavior including wind direction and speed, visibility, and public safety impacts from the complainant.
3. The permittee shall inform the complainant that he or she may also contact the District directly and shall provide the District name, telephone number and address.
4. The permittee shall, in coordination with the Air District, seek resolution for all complaints, as necessary.
5. The permittee shall complete and submit a Post-Burn Evaluation form to the District.

Natural Ignition on a No-burn Day (CCR section 80160(h))

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 your Air District, the Air District decides, 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 Air District, or if the Air District is not available, the Air Resources Board (ARB); or
3. After 24 hours, the Air District has been contacted, or if the Air District is not available, 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.