

COMPLIANCE ASSISTANCE BULLETIN
June 2007

Restrictions on Agricultural Burning

On May 17, 2007, the District's Governing Board amended Rule 4103 – *Open Burning* to address the agricultural burn permit prohibitions pursuant to sections 41855.5 and 41855.6 of the California Health and Safety Code. This bulletin identifies the types of agricultural waste materials that may be burned with a valid agricultural burn permit and reports when agricultural burn permits will no longer be issued for those specified crops.

Effective June 1, 2007, the District may issue agricultural burn permits for the following agricultural waste materials:

- **Pruning** from almonds, apples, chestnuts, feijoas, figs, grapevines, jujubes, pears, pecans, quince, and walnuts. Agricultural burn permits may be issued for burning the prunings from these crops until June 1, 2010.
- **Orchard Attrition**, which include suckers and dead or broken branches and trees from an orchard. Attrition materials do not include annual pruning from an orchard or a removal of an orchard. No deadlines currently apply to suspend the burning of these materials.
- **Orchard Removals:** Agricultural burn permits for orchard removals may be issued until June 1, 2010 for the following:
 - a. Orchard removals of citrus, apple, pear, quince, and fig crops; or,
 - b. Orchard removals of up to 20 acres per location per calendar year from other crops. Farms greater than 100 cumulative acres in the San Joaquin Valley will require a case-by-case economic justification of the open burning alternatives in order to determine whether a burn permit may be issued. Growers shall investigate opportunities to pool resources with others if additional orchard removals are located within a close proximity of each other.
- **Vineyards**, which include canes, vine stumps, untreated grapestakes, paper raisin trays, and vineyard removals. Agricultural burn permits for these materials may be issued until June 1, 2010.
- **Rice:** Agricultural burn permits for burning rice stubble may be issued until June 1, 2015, but the amount of rice debris that a grower may burn will be limited by the following schedule:
 - ▶ From June 1, 2007 through May 31, 2008, growers may burn up to 100% of the total annual acreage of rice farmed.
 - ▶ From June 1, 2008 through May 31, 2010, growers may burn up to 70% of the total annual acreage of rice farmed.
 - ▶ From June 1, 2010 through May 31, 2015, growers may burn up to 50% of the total annual acreage of rice farmed

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Agricultural burn permits will allow burning of residual rice stubble left from baling equipment; spot burning in areas where rice stubble and straw had been compacted or flattened by harvesting or baling equipment; and burning of weeds and vegetation along rice field levees and banks. Such permits may be issued for these materials until June 1, 2015.

- **Disease Prevention:** It may be necessary for growers to burn agricultural crops or animals for disease or pest prevention. An agricultural burn permit may be issued with specific conditions after the county agricultural commissioner has determined that open burning is the only means available for disposing of the diseased materials.
- **Weeds from Surface Waterways,** primarily from ponding and levee banks associated with agricultural operations. Agricultural burn permits may be issued until June 1, 2010.
- **Tumbleweeds:** Landowners must implement Best Management Practices or reasonable alternatives to open burning for controlling and disposing of tumbleweeds on their property. Managing tumbleweed growth may be accomplished by using herbicides, mowing, stabilizing soils, planting competitive species, or a combination of these practices. However, tumbleweeds often accumulate on property from which they did not originate. A burn permit may be issued for burning tumbleweeds once the District has deemed that the only disposal method for the site is by open burning and the smoke will not affect smoke sensitive areas or contribute to a nuisance.
- **Noxious Weeds** are those species identified by the US Department of Agriculture as being noxious to a crop, such as yellow star thistle and dodder weed. Growers must implement Best Management Practices for controlling noxious weeds in their crops. Many practices or combination of practices are indeed reasonable alternatives to open burning; however, an agricultural burn permit may be issued if the grower demonstrates to the District that open burning is a Best Management Practice for abating the noxious weed.
- **Ditchbanks and Canals** maintained by an irrigation district or an agricultural operation. As with tumbleweeds and noxious weeds, feasible alternatives to open burning must first be examined before an agricultural burn permit may be issued.
- **Fertilizer and Pesticide Paper Sacks:** Alternatives to burning paper sacks include disposal in a landfill or purchasing fertilizers and pesticides in returnable, refillable bulk bags. A burn permit may be issued only if the Best Management Practice for disposing the paper sacks is by open burning. Burning burlap sacks, cardboard boxes, or plastic containers is prohibited.
- **Brooder Paper, Deceased Goats, and Diseased Beehives:** Agricultural burn permits may be issued for these materials until June 1, 2010.

Any agricultural material not described in this bulletin no longer qualifies for an agricultural burn permit. An on-site inspection by a District inspector may be performed to determine burn permit eligibility.

Agricultural burn permit holders are encouraged to use the automated smoke management system when seeking a daily burn authorization. The smoke management system may be reached by telephone at 1-800-665-2876 or via the Internet at <http://sms.valleyair.org>.

For any questions on open burning and agricultural burn permits, please call 1-800-665-2876 between 6:00 AM and 11:00 AM.