

**M e m o r a n d u m**

**To:** All Stations and Camps  
ECC and Fire Prevention Staff  
Division Chiefs  
Battalion Chiefs

**Date:** December 1, 2008

**From:** Department of Forestry and Fire Protection

**Subject:** 9000 FIRE PREVENTION  
Non-Fire Season Burning Guidelines/Requirements  
End of Fire Season to May 1, 2009

Attached are guidelines and requirements for burning operations during the period beginning with the official termination of declared fire season to May 1, 2009. **Read these guidelines carefully.**

Due to Air Resources Board state mandates, which began January 1, 2004, the use of burn barrels and incinerators is prohibited in most areas of the county. Refer to page 3 for more information.

**Commencing with the close of fire season 2008, APCD will collect fees for dooryard burn permits and agricultural burn permits. CAL FIRE will not be collecting these fees. APCD will distribute new permit forms for backyard burning with an attached "mail in" pay envelope. See more details in Section #6 below.**

To use this guide, determine the type of burning and follow the specific requirements for that type of burning.

The CAL FIRE / SLO County Fire Department's primary concern is FIRE SAFETY. APCD's primary concern is AIR QUALITY. Refer the public to APCD if their question is APCD related. Refer the public to APCD if you receive a smoke complaint; however, as a public safety agency, CAL FIRE/CFD may have secondary obligations to respond to incidents jeopardizing public health.

Contact your battalion chief if your station does not have maps designating urban reserve/village reserve lines.

**Do not listen to rumors, follow the Guidelines carefully.** If you have any questions, please contact Andy Andersen or Jane Schmitz.

Andy Andersen  
Battalion Chief, Fire Prevention

C: APCD  
Receptionist

**BURNING PERMIT ADMINISTRATION  
GUIDELINES/REQUIREMENTS**

**1. Agricultural Burning**

Definition:

Materials resulting from agricultural operations, either growing crops or raising animals for a **livelihood** or for a **profit**. A San Luis Obispo County Farmers Market Certificate can also be used as proof of eligibility. Examples are: range improvement, grain stubble, pea vines, orchard and/or vineyard trimmings and prunings.

Agricultural burning may include disease and pest prevention deemed necessary by San Luis Obispo County Agricultural Commissioner's office. Materials to be burned must be dry and free of dirt.

Requirements:

1. APCD Agricultural Burn Permit and paid \$25.00 fee (Available at CAL FIRE Stations and APCD).
2. Burn on permissive burn days only.
3. Permittee must call 1-800-834-2876 before burning.
4. Burning hours: Daylight hours only.
5. Specify tons or acres - not both
6. Any burn over 100 tons of piled material or 10 acres of standing vegetation requires a Smoke Management Plan.

**2. Development Burning**

Definition:

Burning of native trees, vines, brush cleared from property being developed.

Requirements:

1. Development burning is prohibited by APCD Rules in most cases.
2. **Non-burning alternatives must be technically infeasible.**
3. Applicant should contact APCD if they have questions.

**3. Incinerator Burning**

Definition: Burning of household rubbish in a metal barrel.

***Incinerator Burning will no longer be allowed **anywhere** in San Luis Obispo County after **December 31, 2008.*****

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Until that date, burning household trash in burn barrels or dooryard incinerators is prohibited in all areas of San Luis Obispo County located west of the Range 15 East/Range 16 East boundary line AND prohibited in all areas located west of the Range 33 West/Range 32 West boundary line. This prohibition also applies to California Valley CSD.

For those areas of the county located east of the above boundary lines burning household trash in an approved burn barrel or incinerator is allowed under the following requirements until the end of the year:

1. LE-62 permit required from CAL FIRE.
2. Permit is valid for the current calendar year and expires on December 31, 2008.
3. Permit valid only on approved "Burn Days".
4. ***Only non-glossy paper and cardboard may be burned.***

### 4. Hazard Reduction Burning

Definition:

Burning of dried tree/brush prunings outside the scope of the dooryard/open burn periods. The intent of this type of burning should be limited to meeting the standards of Public Resources Code and the Uniform Fire Code. Person doing hazard reduction burning must not create a smoke nuisance or hazard. CAL FIRE makes inspection and determines material to be burned is a fire hazard.

1. The local battalion CAL FIRE Battalion Chief inspects material to be burned to confirm the product is indeed a fire hazard.
2. If CAL FIRE Battalion Chief determines material is a fire hazard, CAL FIRE notifies APCD enforcement, 781-5912, of the existing fire hazard and provides APCD the party's name, address, telephone number and type of material being burned.
3. APCD issues APCD Fire Hazard Reduction Burn Permit if no reasonable alternatives exist.
4. CAL FIRE authorizes the party to commence burning.
5. Burn on permissive burn days only.
6. Burning hours: Daylight hours only.

### 5. Range Improvement Burning

Definition:

The use of open fires to remove vegetation for wildlife habitat, or livestock habitat, or for the initial establishment of an agricultural practice on previously uncultivated land.

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1. Issued by Battalion Chief/Unit Forester only.
2. LE 7 Burning Permit.
3. APCD Smoke Management Plan/Permit Required.

### 6. Dooryard/Backyard/Open Burning

Definition:

Tree and shrub prunings may be burned by residents of single family or duplex dwellings provided the requirements are followed. **Burning is only allowed outside urban reserve or village reserve lines and with a valid APCD Backyard Burn Permit.** See: <http://www.sloplanning-maps.org> to determine URL/VRL's. Burning at commercial and industrial sites or by agencies is prohibited.

#### Prohibited Areas:

**Arroyo Grande	Los Osos/Baywood Park
**Atascadero	Morro Bay
Avila Beach	Nipomo
Black Lake	Oak Shores
Callendar-Garrett	Oceano
Cambria	Paso Robles
Cayucos	Palo Mesa
Creston	Pismo Beach
Edna/Los Ranchos	San Luis Obispo
Garden Farms	San Simeon Acres
Grover Beach	Santa Margarita
Halcyon	San Miguel
Heritage Ranch	Shandon
Jardine	Templeton
Los Berros	Whitley Gardens
	Woodlands

\*\*The cities of Arroyo Grande & Atascadero have their own hazard reduction burn program. Residents should contact those fire agencies directly for details.

#### Requirements

1. **PERMIT FROM APCD and PAID \$25.00 Fee REQUIRED.** APCD Permits will be available from all CAL FIRE Stations. CAL FIRE does not issue these APCD permits.
2. Burn Permit can be completed by applicant with the \$25.00 fee included and mailed to APCD in envelope provided. Permit is not valid until fee is paid. Generally, wait two (2) days before burning to allow time for mail delivery.
3. Material to be burned is limited to tree and shrub prunings. These materials shall be dry and free of dirt and surface moisture. **Burning grass clippings, piles of leaves and piles of pine needles is prohibited.**

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Note: A minimum drying time of three (3) weeks from time of cutting is required.

4. Piles must be no larger than four (4) feet in height and six (6) feet in diameter.
5. Burning will not be allowed if measurable rainfall has occurred within the last five (5) days.
6. Burning must begin after 10:00 a.m. and be completed by 4:00 p.m. (These hours [weather] facilitate smoke dispersal.)
7. An adult must attend burning operation at all times and have a functioning water hose capable of extinguishing the fire.
8. Burning to be conducted on permissive burn days ONLY.
9. Party must call 1-800-834-2876 BEFORE burning.
10. Burning (smoke and ash) shall not cause a nuisance, impacting neighbors.

### MISCELLANEOUS INFORMATION AND DEFINITIONS

**BURN DAY INFORMATION  
RECORDING  
1-800-834-2876**

Burn day information is provided on a 24-hour basis. Information for the following day is provided after 4:00 p.m. This information will include the burn day status and whether burning is prohibited due to measurable rainfall occurring within the last five (5) days.

**During Fire Season** - The ECC answers the phone on permissive days and requests the following information from the caller:

- 1) Permittee name and telephone number
- 2) Section, township and range
- 3) Street address and cross street
- 4) Type of material

**During non-fire season** and all non-permissive burn days the caller will receive a recorded message containing the appropriate information.

### PERMITS:

1. LE-5 Permits are required beginning May 1 until the close of fire season. LE-5's are issued for agricultural burning, hazard reduction and development burning.

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2. LE-62 Permits are required for incinerators/burn barrels. LE-62's are issued for the duration of the *calendar* year.
3. LE-6, LE-7, LE-8 permits are range improvement applications and permits. They are issued only by a Battalion Chief or the Unit Forester.
4. Model rocket permits: Issued by Fire Prevention staff or field personnel.
5. APCD application/permit for agricultural burning: Issued by CAL FIRE or APCD.
6. APCD smoke management plan/permit: Issued by APCD.
7. APCD application/permit for development burning: Issued by APCD.
8. APCD permit for hazard reduction burning: Issued by APCD.
9. APCD permit for backyard burning. Issued by Applicant/APCD.

## **URBAN RESERVE LINES (URL) / VILLAGE RESERVE LINES (VRL)**

Areas where the county has determined an area of influence around a particular area of an incorporated city or community. Each fire station has maps depicting urban reserve lines and village reserve lines within their response areas. Backyard/dooryard burning is not permitted inside these lines. Also see: <http://www.sloplanning-maps.org>

## **ESTIMATED SIZE OF ONE TON**

One ton of vegetation matter is equal to a pile 15 feet in diameter by 5 feet in height. On APCD Agricultural Burn Permit.

## **AIR POLLUTION CONTROL DISTRICT (APCD)**

**Address: San Luis Obispo County  
Air Pollution Control District  
3433 Roberto Court  
San Luis Obispo, CA 93401**

**Phone 781-5912  
Fax 781-1002**

**After Hours Emergency: Contact ECC**

## **NON-FIRE SEASON ~ (End of Fire Season to May 1, 2009)**

### **ENFORCEMENT PROCEDURES**

#### ***ESCAPE FIRE:***

CAL FIRE will initiate law enforcement action (criminal and/or civil), regardless of whose property burned, against the responsible party.

#### ***SMOKE CHECK/ILLEGAL BURN***

1. If it is necessary for CAL FIRE to extinguish a control burn, CAL FIRE will initiate law enforcement action (criminal and/or civil) against the responsible party.
2. If the burning operation is in violation of Section 41800 of the Health and Safety Code: Prohibited open outdoor fire-burning of demolition debris, tires, tar, wood waste, solid/liquid waste, metal waste, etc. CAL FIRE will initiate law enforcement action (criminal and/or civil) against the responsible party. CAL FIRE will notify APCD through ECC channels.
3. If the burning operation is a violation of the "No Burn Day" status, CAL FIRE will advise the responsible party to cease burning and notify APCD.
4. If the burning operation is a "gross" violation of APCD rules and regulations, CAL FIRE will advise the responsible party to cease burning. CAL FIRE will promptly notify APCD through ECC channels.
5. If the burning operation is creating a fire hazard situation, CAL FIRE will order the responsible party to cease burning (UFC 207).
6. If the burning operation is creating a health hazard, CAL FIRE will advise the responsible party to cease burning. CAL FIRE will request an APCD response through ECC channels. It may be necessary for CAL FIRE to extinguish the burning operation.

NOTE: When notifying APCD, CAL FIRE must provide as much identifying information as possible: name, address, and nature of the incident which should include type and quantity of material burned.