

Memorandum

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

Date: May 5, 2011

From: Department of Forestry and Fire Protection

Subject: 9000 FIRE PREVENTION
Fire Season Burning Guidelines/Requirements
May 1, 2011 to Fire Season 2011 Closure Date

Read these guidelines. Make sure your personnel are familiar with this information.

To use this guide, determine the type of burning and follow the specific requirements. Please discard previous guidelines.

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.

Do not listen to rumors, follow the Guidelines carefully. If you have any questions, please contact Captain Jane Schmitz or Forester Alan Peters.

Chad Zrelak
Battalion Chief – Law Enforcement
San Luis Obispo Unit

C: APCD
Prevention Staff

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. Agricultural burning is for income generating agriculture operations, not "backyard hobbies". Materials to be burned must be dry and free of dirt.

Requirements:

1. Inspection per Battalion Chief requirements.
2. CAL FIRE LE-5 Permit.
3. APCD Agricultural Bun Permit and paid 25.00 fee. Permittee is responsible for mailing the APCD permit fee to the Air Pollution Control District.
4. Burn on permissive burn days only.
5. Permittee must call 1-800-834-2876 before burning.
6. Burning hours: Daylight hours only.
7. Specify tons or acres – not both
8. 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.

Pre-requisite: Applicant must possess valid County development building permit.

Requirements:

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

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3. Incinerator Burning

Definition: Burning of household rubbish in a metal container.

Incinerator Burning is no longer allowed *anywhere* in San Luis Obispo County as of *December 31, 2008.*

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 California Fire Code. Person doing hazard reduction burning must not create a smoke nuisance or hazard.

NOTE: CAL FIRE does not issue APCD permit.

1. The local CAL FIRE Battalion Chief inspects the 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. APCD indicates the name of CAL FIRE staff declaring fire hazard.
4. CAL FIRE issues LE-5 permit.
5. CAL FIRE indicates on LE-5 the name of the authorized APCD representative.
6. Burn on permissive burn days only.
7. Permittee must call 1-800-834-2876 before burning and provide dispatch with the pertinent data.
8. 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.

Requirements:

1. Issued by Battalion Chief/Unit Forester only.
2. LE-6 (Application), LE-7 (Burning Permit), and LE-8 (Minimum Precautions) are required.
3. APCD Smoke Management Plan/Permit is required.

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6. Campfires

Definition: "Campfire" means a fire which is used for cooking, warmth, lighting, ceremonial, or aesthetic purposes, including fires contained within outdoor fireplaces and enclosed stoves, stoves using petroleum based fuels, portable barbeque pits and braziers... "Campfire" does not include portable lanterns designed to emit light resulting from a combustion process (PRC 4103.5).

Requirements on private property:

1. Written permission from owner, lessee or agent of property owner, is required.
2. California Campfire Permit is NOT required
3. Recommended clearance around campfire is 4 feet, clear of all flammable material.

Requirements on USFS and BLM property:

1. California Campfire Permit, LE-63
2. Expiration date: no more than one year from date of issue.
3. CCP is required in all areas (primitive campsites included) except designated-developed campgrounds that have approved campfire sites.
4. Fire restrictions may be in effect, particularly during fire season, which **may** prohibit all campfires outside developed-designated campgrounds. Permittee is responsible for knowing current restrictions.

7. Dooryard/Open Burning

Definition:

PROHIBITED BETWEEN MAY 1ST AND FIRE SEASON CLOSURE DATE

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.** Burning at commercial and industrial sites or by agencies is prohibited.

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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.**
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

MISC. INFORMATION & DEFINITIONS

<p>BURN DAY INFORMATION RECORDING 1-800-834-2876</p>

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 & telephone number
- 2) Section, township and range
- 3) Street address & cross
- 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.

LAW ENFORCEMENT

- 1) Applicable fire laws will be enforced by the California Department of Forestry and Fire Protection/San Luis Obispo County Fire Department.
- 2) Any escape fire requires law enforcement action regardless of the time of year. Any escape fire that does not burn the property of another still requires LE action.
- 3) Violating any term and condition listed on a CAL FIRE permit is a misdemeanor. Such non-compliance invalidates the respective permit. Non-compliance may result in LE action (civil and criminal).
- 4) PRC 4423(b) requires burning permits (LE-5 and LE-62) **beginning May 1, regardless of the opening of fire season.** Permits are required until the close of fire season.
- 5) San Luis Obispo County Air Pollution Control District (APCD) personnel will enforce applicable APCD regulations.

URBAN RESERVE AREA

Where County has drawn an area of influence around a particular area of an incorporated city or community, and the city or community has influence on the growth of expansion of the particular area. Each fire station has maps depicting urban reserve areas within their response areas. Incinerators are not permitted.

ESTIMATED SIZE OF ONE TON

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One ton of vegetation matter is equal to a pile 15 feet in diameter, by 5 feet in height.
On LE-5 of APCD attachment specifies tons or acres - not both.

AIR POLLUTION CONTROL DISTRICT (APCD)

Address: San Luis Obispo County Air Phone: 781.5912
Pollution Control District Fax: 781.1002
3433 Roberto Court
San Luis Obispo, CA 93401

After Hours Emergency: Contact ECC

APCD BASIC DEFINITIONS

Complaints are defined as calls regarding air pollution problems received from the public or other government agencies. Most complaints are non-emergencies involving odors, burning, or particulate problems like dust.

Emergency calls are defined as calls coming from Federal, State, local agencies, public officials and the public involving air pollution emergencies. Air pollution emergencies are defined as releases of air pollutants that are immediately dangerous to life and health. Air pollution emergencies also include nuisance situations where air contaminants cause nuisance or annoyance to any considerable number of persons (five or more persons in a four-hour period). Situations where District Rules and Regulations may have been violated but are not immediately dangerous to life or health and are not a nuisance are not considered air pollution emergencies.