

**BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT
STAFF REPORT**

**Proposed Recodification and Amendment of
Regulation III, Rule 300, *Open Burning Requirements,
Prohibitions and Exemptions***

**Proposed Amendment of
Rule 507, *Burn Permit Fees***

Date of Public Release: February 19, 2010

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Reviewed by: Robert McLaughlin, Assistant Air Pollution Control Officer
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Proposed Recodification and Amendment of Regulation III, Rule 300, *Open Burning Requirements, Prohibitions and Exemptions*

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Schedule of Meetings

- Date of Public Workshops*:
 - March 18, 2010 at 1:00 p.m., Paradise Town Hall Council Chambers, 5555 Skyway, Paradise, CA;
 - March 22, 2010 at 9:30 a.m., Chico City Council Chambers, 421 Main Street, Chico, CA;
 - March 23, 2010 at 9:30 a.m., Southside Oroville Community Center, 2959 Lower Wyandotte, Oroville, CA; and
 - March 24, 2010 at 6:00 p.m., Paradise Pines POA, 14211 Wycliff Way, Magalia, CA.

- Date of Board Hearing: April 22, 2010, 10:15 a.m., Chico City Council Chambers, 421 Main Street, Chico, CA.

*Public workshops being held in conjunction with those held for proposed amendments to Rule 101, *Definitions*

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Proposed Amendment of Rule 507, *Burn Permit Fees*

Date of Release: February 19, 2010

Scheduled Date of Adoption: 10:15 a.m. April 22, 2010

Chico City Council Chambers, 421 Main Street, Chico, CA

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- Attachment B** Rules Proposed for Repeal (Rules 301-309)
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- Attachment D** Proposed Amended Rule 507, *Burn Permit Fees* (Underline ~~Strikeout~~)
- Attachment E** Proposed Resolution of Adoption for Recodified and Amended Rule 300 and the Repeal of Rules 301-309
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STAFF REPORT

Executive Summary

California Health and Safety Code (HSC) Section (§) 41804 requires air districts to develop criteria for the open burning of wood waste from trees, vines, or bushes on property being developed for commercial or residential purposes and for clearing brush for fire hazard reduction in order to improve the combustibility of such waste and reduce its smoke level. To meet these requirements the District is proposing amendments to District Regulation III, Rule 300, Open Burning Requirements, Prohibitions and Exemptions. The amended regulations will establish criteria for all nonagricultural burning, including residential open burning, which are similar to the performance standards for agricultural open burning such as hours of ignition, minimum drying times, freedom from debris and moisture, and other similar requirements that have been in effect since the early 1970's. In addition, the amendments would place additional restrictions on residential open burning to further reduce the emissions from open burning. The restrictions also serve to reduce the potential for smoke impacts in densely populated areas and prohibit residential open burning in the unincorporated areas of Butte County located within the Chico Sphere of Influence.

The District is also proposing to concurrently recodify all of the existing rules in Regulation III into a single rule that consolidates the requirements which are common to all types of open burning (agricultural, nonagricultural, and residential) into one equitably enforceable regulation. Amendments to the regulations have been made during the process which will serve to ensure that the new regulation is readable, understandable, enforceable, and consistent with State laws and the Sacramento Valley Smoke Management Program.

As a result of the recodification process, District Rule 507, Burn Permit Fees, is proposed to be amended; references to sections in the previous Rule will no longer be accurate. Only administrative changes to the Rule are required; no changes to the fee schedule are proposed.

1. PURPOSE

The purpose of the regulation is to ensure that open burning in the District is conducted in a manner that minimizes emissions of particulate matter and smoke and is managed consistent with state law. This regulation is applicable to any person or land manager conducting or allowing any open burning including agricultural burning and nonagricultural burning. Nonagricultural burning includes burning for fire hazard reduction, burning for land clearing for commercial or residential development and residential open burning.

The District is also proposing to amend and recodify Regulation III (District Rule 300) in order to add provisions that make the regulation compliant with the requirements of California Health and Safety Code (HSC) § 41804. State law requires districts to develop criteria for open burning of vegetative waste which will reduce smoke impacts from land clearing for commercial or residential development and from open burning for fire hazard reduction pursuant to HSC § 41802.

The proposed amendments would also place additional restrictions on residential open burning to further reduce the emissions from open burning, to reduce the potential for smoke impacts in densely populated areas, and to prohibit residential open burning in the unincorporated areas of Butte County that are located within the Chico Sphere of Influence.

In addition, the District is proposing to unify the all of the existing open burning regulations into one consistent and enforceable regulation. To accomplish this, it was necessary for the District to amend some elements in the open burning programs. The newly amended Rule 300 has been recodified and references to the regulation in District Rule 507, *Burn Permit Fees*, will no longer be accurate. As a result, amendments to Rule 507 are being proposed in order to correct references to the appropriate sections of proposed amended Rule 300.

2. BACKGROUND:

Smoke from open burning contributes to ambient levels particulate matter in Butte County. Particulate matter in the air is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size and chemical composition and can be made up of many different materials such as metals, soot, soil, and dust. Particles that are 10 microns or less in diameter are defined as "respirable particulate matter" or PM10. These particles (PM10 and smaller) pose the greatest health concern because they can pass deep into the lungs. Particles that are 2.5 microns or less in diameter are defined as "fine" particulate matter or PM2.5. In addition to adverse health concerns, these fine particles can contribute significantly to regional haze and reduction of visibility in California.

Since the small particles that make up PM can easily penetrate deep into the lungs, scientists have studied the effects of this type of pollution on human health. Both short and long-term exposures to PM have been shown to lead to harmful health effects. People with heart or lung diseases, older adults, and children are more at risk to the adverse health effects from PM exposure. In addition, scientists have observed higher rates of hospitalizations, emergency room visits and doctor's visits for respiratory illnesses or heart disease during times of high PM concentrations. During these periods of high PM levels, scientists also observed the worsening of

both asthma symptoms and acute and chronic bronchitis. Scientists have found a relationship between high PM levels and reductions in various aspects of the healthy functioning of people's lungs. As a result, the District has been reviewing various control measures mandated by state law to reduce ambient levels of particulate matter

In 2003, the California Legislature enacted Senate Bill 656 (SB-656, Sher), codified as Health and Safety Code (HSC) § 39614, to reduce public exposure to particulate matter. The goal is to make progress toward attainment of federal and state respirable particulate matter (PM10) and fine particulate matter (PM2.5) standards. As the first step, SB-656 required the local air districts to develop a list of the most readily available, feasible, and cost-effective control measures that could be employed to reduce the emissions of PM10 and PM2.5 (collectively referred to as PM). To satisfy this mandate the District's Governing Board of Directors approved a list of control measures on August 25, 2005 that could be employed to reduce emissions of PM from all sources. The list specifically identified performance standards for nonagricultural open burning as a source of PM emissions. The proposed amendments are intended to reduce the emissions of PM from open burning as mandated by SB-656 and other provisions of state law.

California HSC § 41804 requires air districts to develop, and the CARB to approve, criteria for the open burning of wood waste from trees, vines, or bushes on property being developed for commercial or residential purposes and for clearing brush for fire hazard reduction in order to improve the combustibility of such waste and reduce its smoke level. HSC § 41804 also specifies that such burning may only be authorized by written permit issued by the Air Pollution Control Officer (APCO). HSC § 41804 authorizes the District Board to adopt rules and regulations to:

- authorize any burning under HSC § 41802 (land clearing for commercial and residential development and burning for fire hazard reduction);
- review each proposed burn prior to authorizing its APCO to issue a permit for the burn; and,
- to delegate to its APCO the authority to approve or disapprove each proposed burn after consideration of the amount of waste to be burned, the season of the year, the ambient air quality, the proximity of the waste to developed areas, or such other criteria as the Board may establish.

Guidance from the CARB staff on the development of criteria to reduce smoke from open burning is for the District to develop criteria similar to the performance standards for agricultural open burning such as hours of ignition, minimum drying times, freedom from debris and moisture, and other similar requirements that have been in effect since the early 1970's.

In response, the District has proposed amendments to its open burning rules that set forth criteria for non-agricultural burning, including fire hazard reduction and land clearing, as well as for residential burning, that are similar to the prescriptive requirements that are required for agricultural open burning. Additional requirements are also proposed for residential open burning to reduce smoke impacts such as minimum distance to the nearest occupied dwelling and limits placed on the amount (as a percentage of volume) of pine needles and/or leaves in the burn pile. The proposed performance standards would apply to all persons conducting residential dooryard burning. The proposed standards also incorporate requirements imposed by fire agencies for fire safety purposes such as limitations on the pile size, minimum clearance

requirements, and a requirement to have a responsible adult in attendance at all times, which will also reduce the potential for smoke impacts from such burning.

In order to satisfy the legislative intent that all open burning be authorized pursuant to the issuance of a permit and that consideration is given to the amount of waste to be burned, the season, and proximity to developed areas, the District proposes to continue to recognize permits issued by local fire agencies for “Residential Burning”, defined by the District as single and two family dwellings on lots less than one (1) acre in size and for “Fire Hazard Reduction Burning”, defined by the District as open burning conducted at multi-unit dwellings, by commercial entities, and on residential lots equal to or greater than one (1) acre when done for the purpose of compliance with local fire hazard reduction ordinances, provided that District requirements and the requirements of the fire protection agencies are met. The District will continue to require permits for “Land Clearing”, defined by the District as open burning for commercial or residential development.

In amending and recodifying the open burning regulations, the District proposes to repeal existing District Rules 301, 302, 303, 304, 305, 306, 307, 308 and 309, as the substantive requirements of these rules have been incorporated into the proposed amended Rule 300. The recodification of the District’s open burning rules into one rule consolidates the requirements common to all types of open burning into one equitably enforceable regulation. Modifications have been made during the process which will serve to ensure that the new regulation is readable, understandable, enforceable, and consistent with State laws and the Sacramento Valley Smoke Management Program.

3. REQUIREMENTS:

Regulation III, *Open Burning Requirements, Prohibitions and Exemptions* (District Rule 300) sets conditions, requirements, and prohibitions for all open burning programs regulated by the District and conducted within Butte County. The rule is structured to identify the general requirements for all types of open burning and includes additional requirements that are specific to the type of burning being conducted (agricultural burning, non-agricultural burning, and residential burning). The amendments the District is proposing affect portions of each open burning program.

District Rule 507, *Burn Permit Fees*, establishes the fee schedule for burn permits issued pursuant to Rule 300. The amendments the District is proposing are only administrative; no changes to the fee schedule are proposed.

General Burning Requirements:

Previously, the District’s open burning regulations did not clearly state that regulations which applied to agricultural burning also applied to residential burning. The amended regulations further clarify the requirements as applicable to all types of burning, whether agricultural, non-agricultural, or residential. The following requirements are proposed on all types of burning, unless exempted:

- Only waste that can reasonably be expected to completely burn during burn hours shall be ignited unless approval is granted by the District;

- Fires must be controlled so that they do not escape;
- The list of “Prohibited Materials” is more thoroughly defined;
- Vegetative wastes must be reasonably free of dirt, soil, visible surface moisture and moisture content and must be arranged so that it will burn with a minimum amount of smoke.
- Residential open burning in the unincorporated areas of the County that are within the Chico Sphere of Influence will be prohibited.
- Drying times previously required only for agricultural burning now are proposed for all types of burning:
 - Minimum of 30 days drying time for vegetative material six or greater inches in diameter; and,
 - Minimum of 15 days drying time for vegetative material less than six inches in diameter.
- Tree stumps shall not be burned in place unless authorized by permit;
- Suspension of burning privileges – The APCO may suspend burning privileges for persons in violation of the rules;
- Vegetative waste may only be burned on the property on which it was grown, not material may be transported to another location (parcel) to be burned;
- Burning shall not be conducted when smoke could create a public nuisance; and,
- The APCO shall limit the amount of acreage that can be burned with a special permit to burn on a no burn day to 200 acres in rice acreage equivalents per day.

Agricultural Burning Including Wildland, Forest Management /Prescribed Burning:

Some modifications to Regulation III were deemed necessary by the District to develop one consistent regulation and to update that regulation to comply with provisions of the Sacramento Valley Smoke Management Program. These changes are listed below.

- Requires authorization from the on-duty inspector prior to burning all agricultural material, regardless of acreage amounts, unless the burning involves piled orchard waste or brush unless the pile contains stumps or whole trees;
- Defines the process permit holders must follow to report the open burning of orchard brush or orchard waste, already stated in the agricultural burn permit;
- Clarifies the District’s requirements regarding the open burning of pesticide sacks;
- Suspension of burning privileges for any violation of the rule is clearly stated;
- A previous requirement that vines or bushes must be treated with herbicides and allowed to dry for six (6) months or more prior to being burned in place has been excluded from the proposed amendments;
- An economic hardship waiver has been excluded from the proposed amendments;
- Field crop ignition method limits for barley, oat and wheat straw have been excluded from the amendments (but the requirements for rice burning remain);
- A previous exemption from permitting requirements for open burning in agricultural operations in the growing of crops or raising of fowl or animals, or the open burning for disease and pest prevention conducted above 3,000 feet has been excluded from the proposed amendments; and,
- A previous exemption from permitting requirements for open burning for purposes of wildland burning, forest management, silviculture, range management, timber

operations, or prescribed burning conducted above 6,000 feet has been excluded from the proposed amendments.

In addition, because the CARB no longer requires the submittal of a Control Burn Notice form (CB-3) for a range improvement, forest management or wildland vegetation management burn, this requirement was removed from the open burning regulations. The CARB has been developing a new web-based program for the management of these types of burns, called the “Prescribed Fire Reporting Information System”, or PFIRS. Although District Staff have attended training sessions regarding the program, the program has not yet been fully implemented. The District’s open burning regulations may require additional amendments once the program is fully implemented and the impacts of the new program are realized.

Non-Agricultural Burning Including Public Officer, Fire Training, and other Burning:

Some modifications to Regulation III were deemed necessary by the District to add requirements for fire hazard reduction burning on residential lots equal to or greater than one acre and to clarify requirements for public officer and other forms of non-agricultural burning. These amendments will allow for District involvement in the management of these types of burns.

- Disposal of Russian Thistle – in accordance with HSC § 41809, open outdoor fires may be used to dispose of Russian thistle following the requirements of the rule;
- Public Officer:
 - Amendments define the types of fires which may be set by a public officer; and
 - NESHAPs and notification requirements have been added for fire training burns.
- Right of Way, Levee, Reservoir and Ditch Clearing – the requirements for this type of burning have been further clarified and allow for burning of material in place; and,
- Fire Hazard Reduction – Amendments specify that burning may be conducted at multi-unit dwellings, by commercial entities, and on residential lots greater than one acre when done for the purpose of compliance with local fire hazard reduction ordinances.

In addition, the amended rules clarify that any disposal of an unserviceable American Flag that is no longer fit for display must be conducted in a respectful and dignified manner in accordance with HSC § 41806(c). The previous open burning regulations did not clearly state what was the District’s requirements were relating to the burning of an unserviceable American Flag.

Residential Burning:

The most significant amendments are in the residential open burning category. Residential open burning is the practice of using outdoor burning of vegetative waste for disposal and/or fire hazard reduction from single and two-unit family homes located on lots less than one (1) acre in size. The proposed amendments seek to establish performance standards and other requirements to reduce the production of smoke from open outdoor burning of vegetative waste, and to reduce the potential for smoke impacts to neighboring residences and businesses. As stated above, the District’s open burning regulations did not clearly state that regulations which applied to agricultural burning also applied to residential burning. The following requirements are proposed in addition to the general burning requirements outlined above:

- No person or land manager shall dispose of any material from any property by burning outdoors in a burn barrel or incinerator (unless exempted by Title 17, California Code of Regulations, § 93113);

- To minimize smoke impacts to nearby occupied dwellings; open fires shall not take place less than twenty five (25) feet from any occupied dwelling located on an adjacent parcel;
- The maximum pile size shall not exceed four (4) feet in diameter;
- To minimize accidental ignition of prohibited materials, all areas within 10 feet of the outer edge of the burn pile shall be maintained to be free and clear of all flammable material and vegetation;
- A responsible adult shall be in attendance with a shovel at all times until the fire is dead out;
- A water hose that can readily apply water to all parts of the burn site must be present;
- No burning shall be undertaken unless weather conditions (particularly wind) are such that the burning can be considered safe;
- Residential burning shall only occur on days determined to be Residential Burn Days.
- Residential burn hours are between 8:45 a.m. and 4:00 p.m. No material can be added to the fire after 3:00 p.m. and the fire must be completely extinguished by 4:00 p.m. (Option: Residential burn hours are between 8:45 a.m. and one hour before sunset).
 - When a fire agency burn permit is required, persons conducting residential burning shall comply with the burn hours established by the Fire Protection Agency having jurisdiction over the burn site; and
 - A person conducting residential burning shall contact the local fire protection agency for seasonal and specific burn hour requirements prior to burning.

Additional requirements are proposed which affect only the Magalia/“Upper Ridge” area. These requirements mirror the Town of Paradise’s burn ordinance. The requirements which are proposed are comprised of several different options which combine all or a portion of the following:

- Burning is allowable only during March 1 through May 31st and during a special fall burn period, typically November through December.
- Burning may be authorized for only those areas north of Ponderosa Way/Kingsdale Way from the 1st through the 15th of each burn season month, and south of Ponderosa Way/Kingsdale Way from the 16th through the 31st of each burn season month.
- Burn hours are 9:00 a.m. to 2:00 p.m. No material can be added to the fire after 1:00 p.m. and the fire must be completely extinguished by 2:00 p.m.

The District will be receiving comments on the burn hours options and options for the Magalia/ “Upper Ridge” area. Based on comments received, staff will provide a final recommendation to the District’s Governing Board of Directors at the adoption hearing.

Rule 507, Burn Permit Fees:

Amendments to the Regulation III will result in the recodification of the Open Burning Rules. References to sections in the previous version of Rule 300 will no longer be valid; therefore, administrative amendments to Rule 507 are being proposed. No changes to the fee structure are being proposed.

4. COST AND SOCIOECONOMIC IMPACTS:

California HSC § 40728.5(c) exempts districts with a population of less than 500,000 persons from performing a socioeconomic impact analysis. However, the District is preparing an analysis to be released prior to the public workshops.

5. ENVIRONMENTAL IMPACTS:

The District evaluated the proposed rule amendments and determined that pursuant to California Environmental Quality Act (CEQA) Guidelines § 15061(b)(2) and 15308, the proposed rules are categorically exempt from CEQA as a Class 8 action taken by a regulatory agency to assure the maintenance, restoration, enhancement, and protection of the environment and application of the exemption is not barred by one of the exceptions set forth in CEQA Guidelines § 15300.2.

6. PUBLIC COMMENT

Public workshops are scheduled to be held on March 18, 2010 in Paradise, on March 22, 2010 in Chico, on March 23, 2010 in Oroville, and on March 24, 2010 in Magalia, in order to provide a forum for public comment. Comments and questions received during the workshops will be considered prior to final adoption of the Rule. The public hearing for adoption will be held on April 22, 2010 to consider adoption of the amended District Rule 507, *Burn Permit Fees*, and District Rule 300, *Open Burning Requirements, Prohibitions and Exemptions* (Regulation III), as well as the subsequent repeal of District Rules 301 through 309.

7. REQUIRED FINDINGS:

Findings required by Division 26 of the California HSC requires local districts to comply with a rule adoption protocol as set forth in § 40727 of the Code. This section has been revised through legislative mandate to contain six findings that the District's Governing Board must make before adopting, amending, or repealing a rule or regulation. These findings and their definitions are included in Table 1.

In addition, § 40727.2 of the HSC requires preparation of a written analysis by the District to identify all existing federal air pollution control requirements, any of the District's existing or proposed rules and regulations that apply to the same equipment or source type, and all air pollution control requirements and guidelines informed to the District in response to the annual published list of proposed regulatory action by the District.

There are no known existing federal control requirements for agricultural or nonagricultural open burning. Control requirements typically are contained in the Code of Federal Regulations under various programs like National Emissions Standards for Hazardous Air Pollutants (NESHAPs), New Source Performance Standards (NSPS), New Source Review standards (NSR), Prevention of Significant Deterioration (PSD), and the State Implementation Program (SIP).

District rules and regulations that apply to the same source type are Regulation I, *Definitions*, Regulation II, *Prohibitions*, Regulation IV, *Permits*, Regulation V, *Fees*, Regulation VI, *Procedures Before the Hearing Board*, Regulation VII, *Violations*, Regulation VIII, *Variations*, Regulation IX, *Miscellaneous*, Regulation X, *Air Toxic Contaminants*, and Regulation XI,

Federal Clean Air Act Requirements. The District recommends the changes be completed as soon as possible to assure the regulations of the District are managed consistent with state law.

Table 1 - Required Findings

FINDING	DEFINITION	REFERENCE
Authority	A District shall adopt Rules and regulations and do such acts as may be necessary or proper to execute the powers and duties granted to, and imposed upon, the District by this division and other statutory provisions.	California Health and Safety Code Division 26, Part 3, Sections 40000 and 40001 and 40702, are provisions of law that provide the District with the authority to adopt these proposed rules.
Necessity	The District has demonstrated that a need for the Rule, or for Rule amendment or repeal.	The adoption of proposed amendments to Rule 300 are necessary to meet the requirements of HSC 41800, <i>et seq.</i> – Nonagricultural Burning and HSC 41850, <i>et seq.</i> - Agricultural Burning. The adoption of amendments to Rule 507 are necessary to update references to Rule 300.
Clarity	The Rule is written or displayed so that its meaning can easily be understood by the persons directly affected by it.	The intent of the proposed amendments to Rule 300 are to establish criteria for the disposal of wood waste from trees, vines, or bushes, on the property upon which it was grown, for residential open burning, fire hazard reduction burning, and for burning for commercial or residential development, to improve the combustibility of such waste and reduce its smoke level as required by HSC 41804. The amendments also seek to make the District rules and regulations easier to be understood by the regulated community and public by including all of the requirements for open burning of wood waste into a single unified rule. The amendments to Rule 507 are intended to update references to Rule 300 for various types of open burning which are subject to District fees.
Consistency	This Rule is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or State or federal regulations.	The proposed amendments to the Rules are consistent with applicable statutory requirements.

Non-Duplication	The Rule does not impose the same requirements as an existing State or federal regulation, unless the District finds that the requirements are necessary and proper to execute the powers and duties granted to, and imposed upon, the District.	The proposed amendments to the Rules implement the provisions of state law and are necessary and proper to execute the powers and duties granted to, and imposed upon, the District.
Reference	Any statute, court decision, or other provision of law that the district implements, interprets, or makes specific by adopting, amending, or repealing a regulation.	California Health and Safety Code, Division 26, Part 3, Sections 40000, 40001, and 40702.; Part 4, Sections 41800 <i>et seq.</i> , and 41850 <i>et seq.</i>

8. REFERENCES:

Butte County Air Quality Management District, Rules and Regulations, Rule 300, *General Prohibitions and Exemptions on Open Burning* (adopted February 23, 1971, last amended January 22, 2004).

Butte County Air Quality Management District, Rules and Regulations, Rule 301, *Burn Hours and Notice of Ignition* (adopted February 23, 1971, last amended January 22, 2004).

Butte County Air Quality Management District, Rules and Regulations, Rule 302, *General Burn Practices, Requirements and Conditions* (adopted February 23, 1971, last amended June 23, 2005).

Butte County Air Quality Management District, Rules and Regulations, Rule 303, *Ignition Devices and Methods* (adopted February 23, 1971, last amended January 22, 2004)

Butte County Air Quality Management District, Rules and Regulations, Rule 304, *Rice Straw Burning* (adopted July 15, 1980, recodified August 22, 2002).

Butte County Air Quality Management District, Rules and Regulations, Rule 305, *Field Crops Harvested Prior to September 10* (adopted July 15, 1980, recodified August 22, 2002).

Butte County Air Quality Management District, Rules and Regulations, Rule 306, *Certificate from Department of Fish and Game* (adopted February 23, 1971, last amended July 15, 1980, recodified August 22, 2002).

Butte County Air Quality Management District, Rules and Regulations, Rule 307, *Daily Acreage Allocation* (adopted August 6, 1985, recodified August 22, 2002).

Butte County Air Quality Management District, Rules and Regulations, Rule 308, *Burning at Disposal Sites* (adopted February 23, 1971, recodified August 22, 2002).

Butte County Air Quality Management District, Rules and Regulations, Rule 309, *Wildland Vegetation Management Burning* (Adopted September 18, 1990, Amended May 22, 2003).

California Air Resources Board, California Air Pollution Control Laws, Article 2, *Non-Agricultural Burning*, Sections 41800 – 41809, Article 3, *Agricultural Burning*, Sections 41850-41866.

California Air Resources Board, Final Regulation Order: Airborne Toxic Control Measure to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning (ARB, effective date February 3, 2003).

California Air Resources Board, Initial Statement of Reasons for the Proposed Airborne Toxic Control Measure to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning (ARB, January 4, 2002).

California Code of Regulations, Title 17, Final Regulation Order, Smoke Management Guidelines for Agricultural and Prescribed Burning, Effective Date March 14, 2001.

The Sacramento Valley Basinwide Air Pollution Control Council and Technical Advisory Committee, Sacramento Valley Air Basin Smoke Management Program (July 29, 2003).

Senate Bill 656 (SB-656, Sher), codified as Health and Safety Code (H&SC) Section 39614.

SB 656 Implementation Schedule, Approved August 25, 2005.

Attachment A

Proposed Amended Rule 300, *Open Burning Requirements, Prohibitions and Exemptions* (District Regulation III)

Attachment B

Rules Proposed for Repeal (301, 302, 303, 304, 305, 306, 307 308, and 309)

Attachment C

Proposed Amended Rule 507

Attachment D

Proposed Amended Rule 507 (Underline ~~Strikeout~~)

Attachment E

Proposed Resolution of Adoption for Recodified and Amended Rule 300 and the repeal of Rules 301-309

Attachment F

Proposed Resolution of Adoption for Amended Rule 507, *Burn Permit Fees*

Attachment G

Notice of Public Hearing and Workshops