



# Compliance Assistance Bulletin

February 25, 2021

## ***Restrictions on Agricultural Burning – 2021 Update***

On February 25, 2021, The California Air Resources Board (CARB) voted to grant conditional concurrence with the Valley Air District's [2020 Staff Report and Recommendations on Agricultural Burning](#). The Valley Air District's recommendations were approved for a six-month period through August 31, 2021, during which time the Valley Air District will work with CARB staff and stakeholders to address [CARB staff recommendations](#), including additional crop-specific requirements and a near-complete phase-out requirement for the open burning of agricultural woody waste effective January 1, 2025. As a result of these actions, there are [immediate changes to the restrictions on agricultural burning in the San Joaquin Valley \(described below\)](#), and additional changes that will occur over the next few years.

The California legislature passed SB 705 in 2003 which required the phasing out of agricultural burning in the San Joaquin Valley by 2010. The bill also included a provision which allowed the District to delay the prohibition of burning for certain crops, if the State board concurred, where feasible alternatives for disposal did not exist. Since 2003, the District has adopted several revisions to District Rule 4103 – *Open Burning*, to prohibit agricultural burning in accordance with SB 705, except for those crops where no feasible alternatives were available. For those crops where the prohibitions in SB 705 were postponed, the District is required to revisit and re-evaluate the alternatives available at least every five years to determine if continued postponement is warranted.

Since the passing of SB 705, the District has continually worked with agricultural stakeholders to identify alternatives for the disposal of agricultural waste and to make those alternatives more accessible to Valley growers. In November 2017, the District hosted the Central Valley Summit on Alternatives to Open Burning of Agricultural Waste. In November 2018, the District's Governing Board approved the [Alternative to Open Ag Burning Incentive Program](#), which offers funding to assist in offsetting the cost associated with chipping and soil incorporation.

More information will be made available on the District's webpage at <https://ww2.valleyair.org/agriculture/agricultural-burning> as the District develops the final transition plan with CARB and Valley stakeholders. The table below identifies the types of agricultural materials that may continue to be burned with a valid, District-issued burn permit and burn authorization between January 1, 2021 and the end of August 2021.

Crop Category or Material	Previously Eligible For Burning	Changes Effective Jan 1, 2021 – Aug 31, 2021
Orchard Removals	All Apple, Pear, & Quince Removals	No Changes
	Citrus Orchard Removals >15 acres at agricultural operations whose total citrus acreage at all agricultural operation sites is < 3,500 acres, and a feasible alternative is not available through case-by-case	Citrus Orchard Removals >15 acres, up to a maximum of 40 acres at a single location, at agricultural operations whose total citrus acreage at all agricultural operation sites is ≤ 500 acres, and a feasible alternative is not available through case-by-case;
	All Orchard Removals 15 acres or less at a single location, per calendar year	No Changes
Vineyard Removals	All Vineyard Removals	No Changes
Field Crops	Rice Straw/Stubble up to 70% of total rice acreage farmed per year	Reduce to 25% of total rice acreage farmed per year
	Residual Rice Stubble (left over stubble after baling)	Prohibited from burning
	Spot Burning of rice stubble (rice stubble compacted due to mobile equipment)	Prohibited from burning
	Rice Field Levees and Banks	No Changes
Prunings	Apple, Pear, & Quince Prunings	No Changes
Surface Harvested Prunings	Almond, Pecan, Walnut & Chestnut Prunings > 20 acres on case-by-case basis	All Surface Harvested Prunings > 20 acres are prohibited from burning
	Almond, Pecan, Walnut, & Chestnut Prunings ≤ 20 acres for agricultural operations whose total nut acreage at all locations is < 3,500 acres	No Changes

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Crop Category or Material	Previously Eligible For Burning	Changes Effective Jan 1, 2021 – Aug 31, 2021
Attrition	Attrition from all orchard and vineyard crops (includes suckers, dead or broken branches and dead trees/vines)	No Changes
Weed Abatement	Ponding and Levee banks	No Changes
	Ditch banks and Canal banks*	No Changes
	Noxious Weeds identified by the USDA as being noxious to a crop or livestock*	No Changes
	Tumbleweeds*	No Changes
Other Materials	Raisin Trays	No Changes
	Diseased Beehives	No Changes
	Diseased materials identified by the County Agricultural Commissioner that can only be abated by burning	No Changes
	Paper Fertilizer Sacks and Paper Pesticide/Seed Sacks*	No Changes

\*Landowners must implement Best Management Practices (BMPs) or reasonable alternatives to open burning. A burn permit may be issued if the landowner demonstrates to the District that open burning is a BMP for abating the material.

**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 required to determine burn permit eligibility.

Agricultural burn permit holders are encouraged to use the automated smoke management system (SMS) when seeking a daily burn authorization. When requesting burn authorizations, growers should report only the amount of material that can be expected to be burned on that date. The SMS may be reached by telephone at **1-800-665-2876** between 6:00 and 11:00 AM daily, or via the Internet at: <http://sms.valleyair.org>.

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