

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](#). Concurrence was given for a six month period, during which time the District will work with CARB staff and the agricultural community to make additional revisions to the recommendations set forth in the 2020 report. As a result of this action, there are some immediate changes to the restrictions on agricultural burning in the San Joaquin Valley, and additional changes that can be expected 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. Numerous alternatives were discussed and the one was identified as having the most near-term potential, grinding and re-incorporation of agricultural waste. In November 2018, the District's Governing Board approved the [Alternative to Open Ag Burning Incentive Pilot Program](#), which offers up to \$600 per acre to fund chipping and soil incorporation. In light of the success of the Alternative to Open Ag Burning Incentive Program and newer alternatives currently in development, the District proposed to gradually begin phasing out several of the remaining crop types over the next five years. The report and recommendations were approved by the District's governing board on December 17, 2020.

At the hearing on February 25, CARB board members emphasized the importance of quickly transitioning away from agricultural burning to alternative practices, and called upon the State to make additional grant funding available to support smaller growers. CARB has proposed accelerating the schedule initially recommended in the District's 2020 report for phasing out vineyard and orchard removals, and surface harvested prunings

with the understanding that open burning of these materials will fully cease by January 1, 2025. More information will be made available as the District works through these changes with CARB and the agricultural community.

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 now and the end of August 2021:

Crop Category or Material	Previously Eligible For Burning	Changes Effective Jan 1, 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

Northern Region Office
 4800 Enterprise Way
 Modesto, CA 95356-8718
 (209) 557-6400 ♦ FAX (209) 557-6475

Central Region Office
 1990 East Gettysburg Avenue
 Fresno, CA 93726-0244
 (559) 230-6000 ♦ FAX (559) 230-6062

Southern Region
 Office 34946 Flyover Court
 Bakersfield, CA 93308-9725
 (661) 392-5500 ♦ FAX (661) 392-5585

Crop Category or Material	Previously Eligible For Burning	Changes Effective Jan 1, 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.