

Current Restrictions on Open Burning of Agricultural Waste in the San Joaquin Valley

**Central Valley Summit On Alternatives
to Open Burning of Agricultural Waste
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Background

- District Rule 4103 (*Open Burning*) regulates open burning, including agricultural burning, within the San Joaquin Valley
 - Requires permitting, daily authorization, and coordination to minimize smoke impacts to ensure no violations of ambient air quality standards due to agricultural burning
- Beginning in 2005, the District has been phasing in additional agricultural burning restrictions in accordance with requirements of California Health & Safety Code (CH&SC) Section 41855.5 (SB 705)
- No other region in the state subject to the restrictions on agricultural burning under SB 705



CH&SC Section 41855.6

The District may postpone restrictions for any category of agricultural waste of crop where all of the following applies:

- There is no economically feasible alternative means of eliminating the waste
- There is no long-term federal or state funding commitment for the continued operation of biomass facilities or development of alternatives to burning
- The continued issuance of burn permits will not cause or substantially contribute to a violation of any air quality standard
- The ARB concurs with the determination



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Field Crops

- Phased out effective June 1, 2005
 - Alfalfa, asparagus, barley stubble, beans, corn, cotton, flower straw, hay, lemon grass, oat stubble, pea vines, peanuts, safflower, sugar cane, vegetable crops, and wheat stubble
- Phased out effective June 1, 2008
 - Rice straw (30% of a growers planted acreage)
- Currently allowed (phase out postponed)
 - Rice straw (up to 70% of planted acreage), residual rice stubble, spot burning of rice stubble, and weeds and vegetative materials on rice field levees and banks
 - No economically feasible alternative due to fluctuations in demand for rice straw and issues with inconsistent water allocation



Prunings

- Phased out effective June 1, 2005
 - Apricots, avocados, bush berries, cherries, Christmas trees, citrus, dates, eucalyptus, kiwis, nectarines, nursery prunings, olives, pasture or corral trees, peaches, persimmons, pistachios, plums, pluots, pomegranates, prunes, and roses
- Phased out effective June 1, 2010
 - Figs
- Currently allowed (phase out postponed)
 - Apples, pears, and quinces
 - Burning is only feasible alternative to prevent spread of disease (Fire Blight) which is prevalent among these crops



Weed Abatement

- Phased out effective June 1, 2005
 - Berms, fence rows, pastures, grass, and Bermuda grass
- Currently allowed (phase out postponed)
 - Pond and levee banks
 - No feasible alternatives due to slopes of banks and potential for contamination of water ways
 - Other weeds and maintenance (ditch banks, canal banks, dodder weed, star thistle, tumbleweed, noxious weeds, pesticide sacks, and fertilizer sacks)
 - Not subject to phase out in CH&SC 41855.5
 - Subject to Best Management Practices as developed in consultation with the University of California Cooperative Extension pursuant to CH&SC 41855.5(b)



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Orchard Removals

- Phased out effective June 1, 2007
 - Almonds, apricots, avocados, bush berries, cherries, Christmas trees, dates, eucalyptus, nectarines, olives, peaches, pecans, persimmons, pistachios, plums, pluots, pomegranates, prunes, roses, and walnuts except for small removals less than 20 acres
- Phased out effective June 1, 2010
 - Figs except for small removals less than 15 acres
 - Small acreage exception for previously phased out orchard removals lowered to less than 15 acres
- Phased out effective June 1, 2012
 - Citrus orchard removals at farming operations with a combined citrus acreage of 3,500 acres or more



Orchard Removals (cont'd)

- Currently allowed (phase out postponed)
 - Apples, pears, and quinces
 - Burning is only feasible alternative to prevent spread of disease (Fire Blight) which is prevalent among these crops
 - Citrus at farming operations with a combined citrus acreage of less than 3,500 acres on a case-by-case basis where alternatives are explored and are not feasible
 - Small orchard removals less than 15 acres
 - No economically feasible alternative below 15 acres due to high initial setup charges for chipping



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Surface Harvested Prunings

- Phased out effective June 1, 2010
 - Almond, pecan and walnut prunings at farming operations with a combined total nut acreage of 3,500 acres or more
- Currently allowed (phase out postponed)
 - Up to 20 acres per year of almond, pecan and walnut prunings at farming operations with a combined total nut acreage of less than 3,500 acres
 - No economically feasible alternative below 20 acres due to set-up charges and cost of shredding equipment
 - Additional acres of almond, pecan and walnut prunings at farming operations with a combined total nut acreage of less than 3,500 acres on a case-by-case cost effectiveness basis



Vineyards

Removals:

- Currently allowed (phase out postponed)
 - Grape and kiwi vineyards
 - There is no economically feasible alternative due to the trellis wire that becomes embedded in the wood

Other Materials:

- Phased out effective June 1, 2010
 - Grape vines and canes
- Currently allowed (phase out postponed)
 - Raisin trays
 - No economically feasible alternative due to polymer in the trays which slows the decomposition rate for soil incorporation and makes them unacceptable for biomass plants



Other Materials

- Phased out effective June 1, 2010
 - Brooder paper and deceased goats
- Currently allowed (phase out postponed)
 - Diseased beehives
 - No technologically feasible alternative
 - Attrition materials from orchards and vineyards
 - Not subject to phase out in CH&SC 41855.5
 - Other diseased materials
 - With an order from the County Ag Commissioner
 - Not subject to phase out in CH&SC 41855.5

