



MENDOCINO UNIT 2019 BURN PERMIT ADMINISTRATION PLAN

OBJECTIVE:

The objective of the burning permit program is to provide an opportunity for the public to reduce fuel loading on their property while enhancing their knowledge of fire safety, fire laws, and aiding in the prevention of unwanted (escaped) fires. CAL FIRE burn permits are the equivalent to the Mendocino County Air Quality Management District's permits and therefore can be issued year-round.

GOAL:

Mendocino Unit's burning permit process is used to make every contact a positive and educational opportunity to inform and educate the public about fire safety and prevention.

AUTHORITY:

Burning Permits are required by law, on SRA lands (PRC 4423) At any time in Zone B between **May 1st** and the date the director declares, by proclamation, that the hazardous fire conditions have abated for that year, or at any other time in Zone B during any year when the director has declared, by proclamation, that unusual fire hazard conditions exist in the area. The CAL FIRE Unit Chief has the authority to issue a proclamation for the suspension of burn permits (typically around July 1 in MEU), and terminate the proclamation once fire activity has reduced and burning may resume (typically around November 1).

NOTE: Fire Districts and other special districts within SRA may request and be approved to issue burning permits on SRA lands. These requests shall be routed to the Fire Prevention Bureau for review and approval.

The Mendocino County Air Quality Management District (MCAQMD) requires burning permits throughout the year for all burning. Burn barrels are not allowed in Mendocino County as an approved device for burning debris. Mendocino County Ordinance section 9.33.050 only approves "vegetative matter" (leaves, brush, prunings, and trees) for removal by open debris burning. Regulation 2 of the MCAQMD prohibits the burning of anything except vegetative matter. Poison Oak and Oleanders are also restricted and may be subject to additional permit restrictions.

No Burn Permit is valid on days when agricultural burning is prohibited by the Air Resources Board or the MCAQMD.

MCAQMD recognizes CAL FIRE burning permits as a valid MCAQMD permit for open outdoor burning. CAL FIRE Residential Burn Permits (LE-62A) should be written from the date of issuance to December 31 of the following year if issued during late Fall/ early Winter (example: Issue date is 11/25/18, expiration should be 12/31/19). If the permit is written in late Winter/Spring it should expire on 12/31 of the current year (example: Issue date is 3/15/19, expiration should be 12/31/19.) Local Fire Districts can issue burn permits which are equivalent to the MCAQMD burn permit, however these permits are valid to within the district only. Even though CAL FIRE may not require Residential Burn Permits (LE-62A) prior to May 1st, property owners may live in SRA which also lies within a Fire Protection District which requires year-round burn permits. They should be instructed to check with their local districts.

The Covelo FPD, Little Lake FPD (Willits), Redwood Valley/ Calpella FPD, Fort Bragg FPD and the Potter Valley Community Services District may issue burning permits for Local Responsibility Area Lands (LRA) within their jurisdiction.



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The cities of Fort Bragg, Willits, Ukiah, Point Arena, and Brooktrails Township require burning permits throughout the year within the incorporated limits of that city or township.

Any permit written for large debris piles (larger than 4' x 4'), the Permittee should also be instructed to contact the MCAQMD for any restrictions or requirements that may be imposed by them, for these larger debris piles.

No person shall knowingly set or allow agricultural or prescribed burning unless he/she has a valid permit from the MCAQMD or designated agency. An LE-5 permit can be used as an agricultural burn permit but the permittee must also comply with MCAQMD regulations. The Permittee should be instructed to contact the MCAQMD to ensure compliance with their regulations. All agricultural burning must comply with Health and Safety Code, Sections 41850 through 41864, and all MCAQMD regulations.

A burning permit issued for less than 10 acres, or less than 50 tons of fuel, or less than 10,000 cubic feet of fuel are valid upon issuance. Permits issued for material equal to, or greater than, the above specified amounts are not valid until a Smoke Management Plan has been submitted to, and approved, by the MCAQMD. Burning of lesser amounts within one mile of sensitive areas (schools, sub-divisions, etc.) may also require a Smoke Management Plan.

The MCAQMD charges a \$17.00 fee for burning permits issued by them. MCAQMD permits are available via their website at <http://www.co.mendocino.ca.us/aqmd/forms/burnform1.html>
Smoke Management Plan fee of \$110 (SMP valid for up to 5 years) in addition to annual burning permit.
Property Development Plan (burning to allow new construction or changing the use of the property) fee of \$164

Fire Season

When Mendocino County is in 'Fire Season' - Burn permits are required by: Air Quality, CAL FIRE, and local fire agencies. Burn hours are 9:00 a.m. to 12:00 p.m. only on permissive burn days.

Winter Burning Season

When Mendocino County is in 'Winter Burning' season. Burn permits are required by: Air Quality and most local fire agencies. Burn hours are 9:00 a.m. to 3:00 p.m. only on permissive burn days.

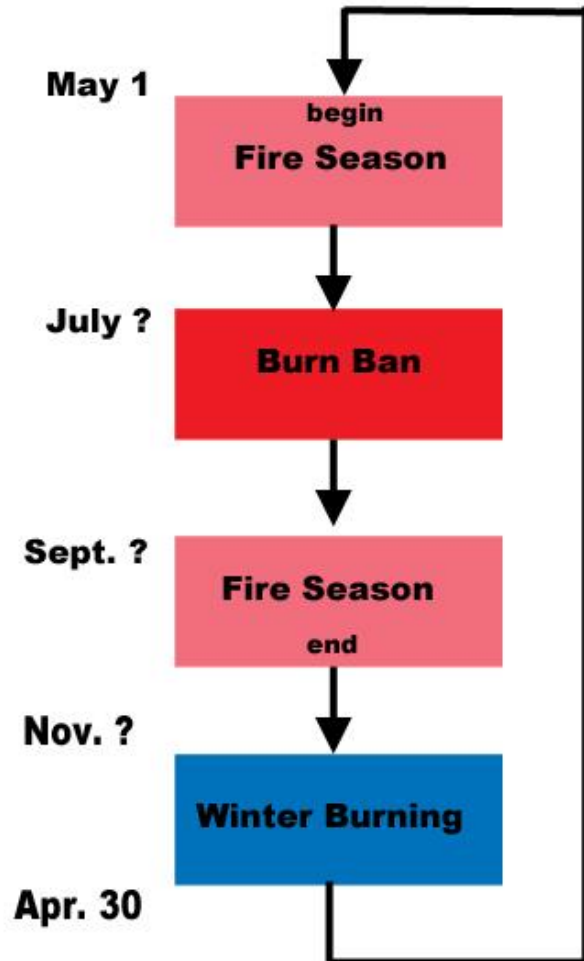
Burn Ban (Burn Suspension)

Burn Suspension goes in effect during certain times of the year, when fire danger is high. When Mendocino County is in 'Burn Ban, or Burn Suspension' - All open burning permits are **SUSPENDED**. Campfires may be permitted by CAL FIRE.



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Typical Burn Season Cycle





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AUTHORIZED PERMITS:

LE-5 - California Inter-Agency Burning Permit; LE-6 - Application for a Brush Burning Permit; LE-7 - Minimum Precautions for Project Type Burning; LE-8 –Project Type Burning Permit; LE-62A- Residential Burn Permit; LE-63 - California Campfire Permit; FM-29 - State Forest Campfire and Special Use Permit.

OUTDOOR DEBRIS BURNING (LE-5): Must be issued by a Chief Officer or their designee.

Mendocino Unit will use the LE-5 “California Inter-Agency Burning Permit” form for all outdoor debris burning except “Project Type Burning” (PRC 4491 – 4494). All burning will comply with Health and Safety Code, Sections 41800 through 41814, Mendocino County Code, Chapter 9.33, Ordinance 3746, and Mendocino County Air Quality Management District Regulation 2. LE-5 “California Inter-Agency Burning Permit” shall only be administered by Chief Officers or their designee.

PROJECT TYPE BURNING (LE-6, LE-7, AND LE-8): Must be issued by a Chief Officer or their designee.

Legal requirements found in Health and Safety Code, Section 41854; Public Resources Code, Sections 4491 through 4494; California Code of Regulations, Sections 937 through 937.7; and California Code of Regulations, Section 1545.4. A “Project Type Burning” permit shall only be administered by Chief Officers or their designee.

RESIDENTIAL BURN PERMITS (LE-62A) – RESIDENTIAL BURN PILES NOT EXCEEDING 4’X4’.

Legal requirements found in Health and Safety Code, Section 13009 and Public Resources Code, Sections 4421, 4422, 4423, and 4425. These permits are now available online at <https://burnpermit.fire.ca.gov/>. They are still available under the Fire Prevention forms section of the CAL FIRE intranet and may be issued in person as was done in the past.

CAMPFIRE PERMITS (LE-63) – CALIFORNIA CAMPFIRE PERMIT:

In lieu of individual agency campfire permits, it has been mutually agreed by the Bureau of Land Management, United States Forest Service, and the California Department of Forestry and Fire Protection (CAL FIRE) that one campfire permit will be issued throughout the State of California. The permit is called the “California Campfire Permit” and is designated form FS 6100-54 or CAL FIRE form LE-63. Persons issuing a LE-63 permit should be familiar with the Public Resources Code, Sections 4432 through 4434; and Health and Safety Code, Section 41806. This campfire permit is not valid for Jackson Demonstration State Forest, State Parks, or for any other camping area outside the boundaries of the above listed Federal Agencies. These permits can be obtained by the public at <http://www.preventwildfireca.org/Permits/>

CAMPFIRE PERMIT (FM-29) – STATE FOREST CAMPFIRE AND SPECIAL USE PERMIT:

Only identified personnel from Jackson Demonstration State Forest and the Fire Prevention Patrol staff will issue these permits. This is necessary to prevent overcrowding of the two designated



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camping areas, Dunlap and Camp 1 (egg collecting station) campgrounds, and monitoring by the patrol and JDSF staff.

Inspections:

Alternatives to open burning in SRA during periods where a risk of escape exists, should be considered and noted on the permit. An inspection should be made prior to issuing an LE-5 burning permit in SRA if more than one of the following conditions exist:

1. The applicant has been responsible for a previous escaped fire (records should be kept at the battalion level).
2. The applicant displays little or no knowledge of burning practices or regulations.
3. Anytime the issuing agent feels concerned about issuing the permit without an inspection.
4. The debris pile to be burned is larger than 4' (ft.) in diameter.

Otherwise, inspections of open burning projects subject to LE-5 issuance will be made at the discretion of the employee authorized to issue the permit.

Refusing a permit:

A burning permit may be refused for any of the following reasons:

1. There is substantial or reasonable evidence that the land upon which the applicant will use the permit is not owned or legally controlled by him or her.
2. The applicant does not have legal permission from the owner of the land to ignite a fire.
3. The permit is to be used for an unlawful purpose.
4. The permit is to be used in an unlawful manner.
5. When state and/or local regulations prohibit burning.

Voiding a permit:

If the Permittee is burning in violation of the law, an LE-38 will be issued. Note on the LE-38 that the previous permit is void and list the reasons. Ask for the Permittees copy of the permit. If they refuse to relinquish it, make no further attempt to obtain it and note the lack of cooperation on the LE-38. Also, note that another permit can be issued when the violations have been corrected and an inspection has been made.

In all other cases a citation should be issued by a Fire Prevention Officer.

Permittee advisement:

Burn day information can be obtained by calling (707) 463-4391. The Permittee must be advised that they are responsible for the fire. The permit entitles them to burn, but if the fire escapes their control, Health and Safety Code, Sections 13007 and 13009 hold them liable for suppression costs and for damage to the property of others. This is a citable misdemeanor offense, by authority of Health and Safety Code, Section 13000 and/or Public Resources Code 4422(b).



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Deferring a permit:

Any authorized company officer (Fire Apparatus Engineer, Fire Captain) may defer the effective dates of a burning permit if there is substantial reason to believe that a fire set under the present conditions would most probably escape and/or threaten life and property.

Suspension of permits:

The Unit Chief has the authority to suspend burning permits due to current or predicted conditions. A burning suspension from July 1st to that period the Unit Chief feels the hazard no longer exists has become an annual event in Mendocino County. The dates however, can be changed at any time by the Unit Chief.

Public relations:

Every employee issuing a permit should remember that applicants form a lasting impression of CAL FIRE from one brief encounter. ***Any employee may take an application for a burning permit, or obtain information for the issuing agent to follow up with.*** Be courteous and helpful. Take time to explain who we are and what we do. Use this opportunity to make them aware of our fire prevention concerns. If you are asked a question that you can't answer, admit it, and then try to get the answer promptly. Do not turn an applicant away.

When possible, take your engine crew along with you when inspecting. It makes us visible in the community, and allows an opportunity to teach your crew something about fire prevention.

In a perfect world, permits should be written in person to provide a quality fire prevention message. The Department has recently made Residential Burn Permits (LE-62A) available online to provide more options for our citizens and provide the best customer service possible. The permittee should be advised the permit is not valid until signed (by the permittee) and it must be in their possession while burning.

Authorized personnel to issue permits:

All permanent fire control personnel within the Mendocino Unit are qualified to issue any of the above approved permits unless otherwise stated in the instructions.

Any new or seasonal employees should read and understand these rules, regulations, and policies, and receive training by Battalion personnel before issuing any permits.