

State of California
AIR RESOURCES BOARD

Resolution 88-37

May 12, 1988

Agenda Item No.: 88-6-3

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board (the "Board") to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Sections 41850 through 41864 of the Health and Safety Code authorize the Board to adopt regulations and guidelines necessary for the control, but not complete prohibition of, agricultural burning as defined in Section 39011 of the Health and Safety Code;

WHEREAS, Section 41855 of the Health and Safety Code authorizes the Board to designate days when agricultural burning shall be prohibited on the basis of meteorological data;

WHEREAS, Sections 41856 through 41858 of the Health and Safety Code authorize the Board to promulgate guidelines for the control of agricultural burning in each air basin, with consideration given to the ambient air quality impacts and economic effects of such guidelines;

WHEREAS, Title 17, California Code of Regulations, Section 80210 presently contains the meteorological criteria for declaring permissive-burn days in the South Central Coast Air Basin (San Luis Obispo, Santa Barbara, and Ventura Counties);

WHEREAS, Section 41859 of the Health and Safety Code authorizes the Board to review the agricultural burning guidelines periodically, and to modify, repeal or alter such guidelines if scientific and technological data indicate that such a change is warranted;

WHEREAS, the Air Pollution Control Officer of the San Luis Obispo County Air Pollution Control District has requested that the Board review the agricultural burning guidelines applicable to the South Central Coast Air Basin;

WHEREAS, the staff has proposed that the permissive-burn day criteria for the South Central Coast Air Basin be amended to divide the air basin into three subdivisions and to provide for separate permissive-burn day determinations for each subdivision based on criteria applicable to the specific subdivision;

WHEREAS, the California Environmental Quality Act and the Board's regulations require that an action not be adopted as proposed where it will have significant adverse environmental impacts and alternatives or feasible

mitigation measures to the proposed action are available which would substantially reduce such impacts;

WHEREAS, the staff and the South Central Coast Air Basin air pollution control districts have conducted workshops in the air basin on the proposed amendments;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of the Administrative Procedure Act, Title 2, Division 3, Part 1, Chapter 3.5 (commencing with Section 11340) of the Government Code; and

WHEREAS, the Board finds that:


The amendments to Title 17, California Code of Regulations, Section 80210 proposed by staff and set forth in Attachment A hereto will more closely match the permissive burn criteria in the South Central Coast Air Basin to the meteorological conditions in the three designated subdivisions in the air basin;

The amendments set forth in Attachment A are warranted in light of available scientific and technological data;

The proposed amendments will improve the existing level of air quality in the South Central Coast Air Basin, and will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED that the the Board hereby amends Title 17, California Code of Regulations, Section 80210, as set forth in Attachment A hereto.

I hereby certify that the above is a true and correct copy of Resolution 88-37, as adopted by the Air Resources Board.



Cary Allison
Board Secretary

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider Amendments to Agricultural Burning
Regulations for the South Central Coast Air Basin

Agenda Item No.: 88-6-3

Public Hearing Date: May 12, 1988

Response Date: May 12, 1988

Issuing Authority: Air Resources Board

Comment: The Board should amend the amendments and simply ban agricultural burning. Instead of burning agricultural material such as sugar peas vines, farmers should till the vines into the soil. Sugar peas are a kind of legume that when tilled can fix nitrogen in the soil. Failure to do so contributes to farmers being on the pesticide treadmill because the natural cycle is broken. Farmers end up having to use more and more pesticides, which are the byproduct of the oil refining industry. This is not a healthy thing to do. Burning not only pollutes the air, but also damages a valuable resource that the farmers actually need. (Lee Hudson, Group for Alternatives for Spreading Poisons.)

Response: The amendments are not expected to increase agricultural burning. On the contrary, the staff report contains data showing that the number of permissive-burn days in the South Central Coast Air Basin would be expected to decrease somewhat as a result of the amendments. The Staff Report identified no significant adverse environmental effects. Health and Safety Code Section 41850 expresses the Legislature's intent that agricultural burning be reasonably regulated and not prohibited. Thus the Board presently lacks the statutory authority to ban agricultural burning altogether.

Certified: _____

Ray Allison
Board Secretary

Date: _____

6/24/88