

REQUEST FOR EARLY EFFECTIVE DATE

Pursuant to Government Code section 11343.4(d), the Air Resources Board (ARB) requests that the amendments to sections 80100, 80101, 80102, 80110, 80120, 80130, 80140, , 80150, 80155, 80160, 80170, 80180, 80200, 80210, 80230, 80240, 80250, 80260, 80270, 80280, 80290, 80300, 80310, 80311, 80320, and 80330 of title 17, California Code of Regulations (CCR), the adoption of sections 80145 and 80179 of title 17, CCR, and repeal of section 80175, of title 17, CCR, comprising Articles 1, 2, and 3 of Subchapter 2, and the documents incorporated by reference therein, become effective upon filing with the Secretary of State. Good cause for this request exists.

The amendments revise the ARB's "Agricultural Burning Guidelines" and rename them the "Smoke Management Guidelines" (Guidelines) to reflect a comprehensive statewide approach to management of smoke from crop waste burning and prescribed burning of natural and cultivated vegetation. This burning must be carefully timed and planned to reduce the potential impact of smoke on health and air quality. Therefore, after proceedings in accordance with the Administrative Procedure Act, the Guidelines were revised to: 1) accommodate the need for increased prescribed burning to reduce excess vegetative fuel loadings that heighten the risk of catastrophic wildfires; 2) provide an approach that relies upon closer communication and collaboration between the State, air districts, and prescribed burners to prevent severe smoke episodes; and, 3) to help California meet health-based air quality standards and federal visibility requirements. An early effective date is needed to support the short timeline for implementation of program revisions in order to reduce and ameliorate the adverse impacts of smoke from increased burning.

The revised Guidelines improve statewide interagency coordination by standardizing some program requirements while extending flexibility to the air districts to respond to the unique situations in each air basin. The revisions are the culmination of two years of meetings, scoping sessions and workshops throughout the State. Affected stakeholders include agricultural interests and growers, the timber industry, ranchers, private landowners, local and regional air districts, State fire districts and State and federal land managers. They all participated actively in the workshops and the development of the revised Guidelines. Several of the stakeholders continue to participate in working groups with ARB on different facets of the smoke management program implementation. The air districts are currently revising the pertinent rules in their respective programs to meet a July 1, 2001 deadline for submission of adopted smoke management programs to ARB for approval. An early effective date will facilitate and lend certainty to the development, adoption, and submittal of the air district programs.

The ARB intends to notify affected parties promptly of the date on which the amendments are submitted to the Office of Administrative Law and again when the Guidelines become effective. None of the parties affected by the amendments will be disadvantaged by the requested early effective date.

Date: January 24, 2001

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