

RULE 308. PRESCRIBED BURNING FEE

Adopted & Effective: 01/16/09

A. PURPOSE

The purpose of this rule is to recover a portion of the District's costs to implement the smoke management program as required by Title 17, Subchapter 2 of the California Code of Regulations - Smoke Management Guidelines for Agricultural and Prescribed Burning, and District Rules 409, 410 and 411.

B. APPLICABILITY

These fees shall apply to any land manager or agency that conducts burn projects for the purpose of range management, forest management and wildland vegetation management on areas greater than 1 acre in size or that are estimated to produce more than one (1) ton of particulate matter.

C. EXEMPTIONS

1. Fees shall not apply to prescribed burns of agricultural wastes that are conducted in accordance with District Rule 408 – Open Burning in Agricultural Operations or Disease or Pest Prevention.
2. Fees shall not apply if prescribed burning is not anticipated or conducted during the calendar year for which fees would apply.

D. FEES

1. An annual flat fee as shown in the table below shall be billed by the District in January of each year to cover fees for all planned prescribed burning activities conducted by the land manager during that calendar year.

Land Management Agency	Inyo National Forest/ U.S. Bureau of Land Management – Bishop Field Office	Humboldt – Toiyabe National Forest	City of Los Angeles Department of Water & Power	Other Land Managers or Agencies
Annual Flat Fee	\$4,000	\$1,000	\$300	\$150

2. Except for the agencies specifically listed above, other land managers or agencies that do not pay the annual flat fee shall pay a fee of \$150 at the time a smoke management plan is submitted, or when prescribed burns are conducted. This fee shall cover all prescribed burning activities, including those addressed in subsequent smoke management plans that the land manager may conduct during the remainder of the calendar year.

3. "Other land managers or agencies" mentioned in Paragraphs D.1 and D.2, above, that plan to conduct small prescribed burning projects subject to District Rules 409, 410 and 411, which believe the \$150 annual fee would cause a financial hardship to their operations, may request that the Air Pollution Control Officer (APCO) exempt their project from the annual fee requirement. Fee exemption decisions of the APCO may be appealed to the Governing Board.

E. FEE ADJUSTMENT

On July 1 of each year, all prescribed burning fees shall be adjusted annually in accordance with California Health and Safety Code Section 42311 to account for changes in the annual California Consumer Price Index.

F. LATE FEES

If payment of charges levied under this rule are not received by the APCO within 60 days after annual billing, or after the smoke management plan is submitted, or after a prescribed burning activity is conducted, the charges may be increased by one half the amount due.