

# News Release

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**MONTEREY BAY**

**Air Pollution Control District**

*serving Monterey, San Benito, and Santa Cruz counties*

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## **Adoption of Revisions to District Rule 438 - Open Outdoor Fires Monterey, California September 21, 2012**

On Wednesday, September 19, 2012, the Monterey Bay Unified Air Pollution Control District's Board of Directors adopted revisions to Rule 438. These revisions were developed to reduce air pollution levels and smoke complaints from backyard burning. While the proposed modifications to restrict backyard burning apply to the entire tri-county area, the revised rule also specifically addresses smoke impact issues in the San Lorenzo Valley (SLV) region in Santa Cruz County. According to the District's Director, Richard Stedman, "This new rule will provide significant relief to those citizens who have been impacted by excessive smoke from backyard burning while balancing the need to dispose of green waste to meet fire safety considerations." This revised rule is now in effect. Substantive changes to the rule are as follows:

### **District-Wide**

- Smoke management permits issued by the Air District are required for all residential backyard burning except in areas where fire districts issue burn permits.
- Prohibition of backyard burning on parcels less than ½ acre except in areas where yard waste pick-up is not available. A waiver from the parcel size requirement can be granted at the discretion of the Air District.
- Prohibition of backyard burning within 100 feet of any structure on an adjacent property. A waiver from this requirement can be granted at the discretion of the Air District.

### **Changes Specific to the San Lorenzo Valley**

- Creation of a Smoke Sensitive Area (SSA) in the SLV based on the County of Santa Cruz general plan map.
- Backyard burning is limited to four burns per day in each of the five fire districts within the SLV SSA.
- Prohibition of backyard burning on parcels less than one acre except in areas where yard waste pick-up is not available. A waiver from the parcel size requirement can be granted at the discretion of the Air District.

While the new requirements are now in effect, the Air District will be taking an educational approach to enforcing the new requirements for the first year. An informational open house will be held in Felton in late October to provide an opportunity to learn about the new requirements. Details regarding the online permitting system will be announced in October. For more information, please contact Mike Gilroy at (831) 647-9411, x.210.