

FINAL DRAFT

RULE 3160 PRESCRIBED BURNING FEE (Adopted February 15, 2001; Amended December 19, 2002; Amended January 17, 2008; Amended April 16, 2015, ~~effective July 1, 2016~~; Amended [date of adoption], effective July 1, 2018 through June 30, 2019)

1.0 Purpose

The purpose of this rule is to provide revenue to fund programs necessary to implement Title 17, Subchapter 2 Smoke Management Guidelines for Agricultural and Prescribed Burning of the California Code of Regulations.

2.0 Applicability

This rule applies to any agency or person within the San Joaquin Valley Air Basin required to submit a smoke management plan pursuant to Title 17, Subchapter 2 Smoke Management Guidelines for Agricultural and Prescribed Burning of the California Code of Regulations.

3.0 Definitions

3.1 Acreage Burned: the number of acres reported to the District for the purpose of calculating fees. Depending on the type of burning conducted, the acreage burned shall be determined by the following methods:

3.1.1 For broadcast burning, the acreage burned is the number of blackened acres resulting from a project.

3.1.2 For pile burning, the acreage burned is the number of acres of a project treated by burning.

4.0 Fee

Any agency or person subject to the requirements of this rule shall be assessed a fee as established in accordance with sections 4.1, 4.2, and 4.3.

4.1 Fee Rate

4.1.1 The fee rate used to assess fees for broadcast burning shall be ~~\$6.396~~6.70 per acre burned.

4.1.2 The fee rate used to assess fees for pile burning shall be ~~\$3.844~~4.00 per acre burned.

4.1.3 The fee rate used to assess fees for burns that include pile burning and broadcast burning, of the same acreage, shall be ~~\$6.396~~6.70 per acre burned.

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4.2 Reporting of Acreage Burned

By February 1, 2002 and each February 1 thereafter, each agency or person subject to this rule shall report to the District the acreage burned during the previous calendar year.

4.3 Fee Assessment

4.3.1 By May 1, 2002, and each May 1 thereafter, the APCO shall assess a fee on each agency or person subject to this rule. The assessed fee shall equal the product of the acreage burned the previous calendar year, minus 40 acres per property owner, and the fee rate set in section 4.1.

4.3.2 By June 30, 2002, and each June 30 thereafter, each agency or person shall remit the fee assessed to the District.