

# STATE OF COLORADO

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Colorado Department  
of Public Health  
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## Policy on Prescribed Burning Along the Front Range During Winter High Pollution Season Restrictions

**From:** Margie M. Perkins, Air Pollution Control Division Director  
**Date:** 12/10/05 (revised); 'red/blue' to 'advisory/no advisories' language revised 12/1/09 and 2/24/10; hyperlinks and information about El Paso County updated 7/19/11; hyperlinks updated 8/6/12  
**Subject:** Burning During the Winter in PM10 Maintenance Areas Along the Front Range

### Applicability

This policy covers wildland fire burning (prescribed fire) during the period each year from **November 1<sup>st</sup> through March 31<sup>st</sup>** for the following counties: Boulder, Jefferson, Douglas, Arapahoe, and Adams. This policy does not apply to land in the City and County of Denver. This policy replaces, "Policy on Pile Burning Along the Front Range During Winter High Pollution Season Restrictions," from February 23, 2003.

### Introduction and Background Leading to Changes in Open Burning Policy

Each year the Colorado Air Pollution Control Division (Division) and several Front Range counties issue open burning bans during the winter months. These months are typically the region's high pollution season with the potential for build-ups in the area's 'Brown Cloud' and, in the past, have been when carbon monoxide and particulate matter health standard exceedances have occurred. Several communities in this region have been non-attainment areas for one or more of these pollutants. While these areas now enjoy maintenance status for carbon monoxide and particulate matter standards, open burn bans remain in many locations. Regardless of whether an area is in attainment or non-attainment status, air pollution agencies have recognized that open burning in the winter has the potential to contribute to unacceptable air pollution along the Front Range due to the increased frequency of poor smoke dispersion conditions compared to other seasons.

There are also residential woodburning restrictions in this same region in some counties and from the State. These restrictions at the State level date back to 1989 when Senate Bill 77 (C.R.S. 25-7-106.3) provided for the declaration of high pollution days. Such declarations may

occur when current or expected levels of air pollution could lead to carbon monoxide, particulate matter or visibility standard exceedances. On a declared or forecasted 'High Pollution Day,' mandated residential woodburning restrictions apply in most of the Front Range counties below 7000'. It has been the Division's policy, and that of many counties, to recognize that residential woodburning restrictions during winter months reinforce the need for open burning restrictions during the same time period so as to avoid the appearance of inequities.

In 1998, the Air Pollution Control Division was visited by representatives of several county fire protection agencies concerned about the need to burn piles from defensible space programs. The preferred time for such pile burning is during the winter, when it is safest. However, High Pollution Season open burning restrictions and advisory / no advisories designations during the fall, winter and spring months limited their ability to conduct this needed work. They asked for some relief for burning at elevations above 6400 feet – the elevations where their defensible space programs applied. Division meteorologists believe that as long as such burning is conducted on a 'no advisories' day there should be little chance of the fire creating air pollution problems. State statute limits the advisory / no advisories' effect for residential woodburning restrictions to below 7000 feet. The Division issued a policy in October 1998 consistent with the request of the fire protection community and the technical advice of Division meteorologists.

In February of 2003, the Division issued a pile burning policy to further clarify the issues with regard to pile burning above 7000'. Essentially, the 1998 policy was modified so that areas above 7000' may conduct pile burning if local conditions are consistent with at least "fair" dispersion without regard for advisory / no advisories that applies to lower elevations. The effective dates issued in the 2003 policy were November 1<sup>st</sup> to March 31<sup>st</sup>, consistent with the high pollution season. This policy has been applied to pile burns applying for wildland fire permits.

Since the 2003 policy has been in place, the Division has been approached by several entities about burning of broadcast projects if a responsible window of opportunity exists. The Division has determined the same principles that allow piled fuels to be burned without significant smoke impacts, will allow for responsible burning of limited broadcast projects. In addition, the Division's meteorological staff issues a daily open burning forecast from March 1<sup>st</sup> to March 31<sup>st</sup>. These forecasts will now provide initial burn/no burn decisions for wildland fire permits at all elevations during March.

Please utilize the contact information at the end of this memo if further clarification is needed in this policy or you have questions or concerns. The Division may revisit the policy, if appropriate, based on feedback from the fire community and public.

### **The Policy**

*Douglas, Arapahoe, Adams, Boulder and Jefferson Counties:* Open burning is not permitted during the fall and winter months except for disposal of fuels generated as a result of wildland fuel reduction activities. Piled fuel or broadcast wildland fuels may be burned as follows:

### **General Provisions of the Policy from November 1<sup>st</sup> to the last day of February**

- The burn is conducted under a valid permit issued by the Air Pollution Control Division as per [Regulation No. 9](#), Section V, “Planned Ignition Fire Permits”. Small piles and broadcast burns may be below the de minimus thresholds of projected emissions and smoke as calculated in Appendix A of the Regulation. If so, the applicant may apply for the simpler General Open Burning permit (see <http://www.colorado.gov/cs/Satellite/CDPHE-AP/CBON/1251595664753>). If not, the applicant must apply for a prescribed fire permit (see <http://www.colorado.gov/cs/Satellite/CDPHE-AP/CBON/1251610137406>).
- All applicable State and local regulations must be met. The permit is for compliance with State air pollution control requirements only and is not a permit to violate any existing State or local laws, rules, regulations or ordinances regarding fire, zoning or building.
- Burned fuel may include piled wood debris generated during hazardous fuel reduction activities (i.e., thinning, defensible space, and forest health) or wildland fuels to be treated by broadcast burning. No treated or painted lumber may be burned in the piles. Broadcast burns will be limited to fuel types that have little smoldering potential.
- Reasonable alternatives, other than burning, for disposal of material may not exist.

#### **For Burns Below 6400 feet**

- No burning is allowed if the project is below 6400 feet from November 1 to the last day of February.

#### **For Burns Between 6400 Feet and 7000 feet**

- November through February the burn may occur only on ‘no advisories’ days as determined by the Air Pollution Control Division. For today’s advisory(s) call the Woodburning Hotline at 303 758-4848 or see the website at <http://www.colorado.gov/airquality/advisory.aspx>. *Burning is not allowed when an advisory day of any kind is in effect.*
- Burning may occur between 10:00 AM and 4:00 PM. Fires must be out without any significant residual smoke by 4:00 PM.

#### **For Burns Above 7000 Feet**

- Forecasted local conditions must be consistent with the specific permit conditions issued for the project. The open burn forecast issued by the Division is not intended for elevations over 7000 feet.

### **General Provisions of the Policy from March 1<sup>st</sup> to March 31<sup>st</sup>**

- The burn is conducted under a valid permit issued by the Air Pollution Control Division as per Regulation No. 9, Section V, “Planned Ignition Fire Permits”. Small projects may be below the de minimus thresholds of projected emissions and smoke as calculated in Appendix A of the Regulation. If so, the applicant may apply for the simpler General Open Burning permit (see <http://www.colorado.gov/cs/Satellite/CDPHE-AP/CBON/1251595664753>). If not, the applicant must apply for a prescribed fire permit (see <http://www.colorado.gov/cs/Satellite/CDPHE-AP/CBON/1251610137406>).
- All applicable State and local regulations must be met. The permit is for compliance with State air pollution control requirements only and is not a permit to violate any existing State or local laws, rules, regulations or ordinances regarding fire, zoning or building.

#### **For burns at elevations below 7000 feet**

- Burn may occur in accordance with the open burning forecast issued by the Air Pollution Control Division (APCD). For a forecast call the Woodburning Hotline at 303-758-4848

or see the website at <http://www.colorado.gov/airquality/advisory.aspx>. This forecast will establish if burning can occur and, if so, when burning can occur for the forecasted period.

- In addition to following the open burning forecast issued by the APCD, if more restrictive project specific permit conditions exist, they must be met. For example, a specific permit condition may allow burning with south to west winds (clockwise) only. In this case, in addition to an open burning forecast for “burning” the permittee would need a spot weather forecast (from the NWS) that forecasts south to west winds. The spot weather forecast must also be consistent with the dispersion conditions indicated in the specific permit conditions. A “burning allowed” APCD open burning forecast does not override the specific permit conditions.

For burns at or above 7000 feet in elevation

- Forecasted local conditions must be consistent with the specific permit conditions issued for the project. The open burn forecast issued by the Division is not intended for elevations over 7000 feet.

**Miscellaneous Information**

Always observe fire safety guidelines. Check the Air Division’s Woodburning Hotline at 303 758-4848 or the website at [http://www.colorado.gov/airquality/burn\\_forecast.aspx](http://www.colorado.gov/airquality/burn_forecast.aspx) for forecasts in the Denver Metropolitan area.

**Meteorological Forecast Information**

Please see

[http://www.colorado.gov/airquality/smoke\\_docs.aspx?action=open&file=VentForecast.pdf](http://www.colorado.gov/airquality/smoke_docs.aspx?action=open&file=VentForecast.pdf).

**Contact Information:** <http://www.colorado.gov/cs/Satellite/CDPHE-AP/CBON/1251610086554>