

## Custer County

### Open Burn Management Plan 2020

**During periods of extreme fire danger or poor air quality the Governor and/or the County Commissioners may impose an open burning ban which supersedes this plan.**

#### **Objective:**

The objective of this Open Burn Management Plan (the "Plan") is to serve as a unified plan for management of open burns throughout the Wet Mountain Fire Protection District and within Custer County as to fire safety and air quality. This Plan will also create a single open burn permit within Custer County that Burn Managers may obtain from the Wet Mountain Fire Protection District (WMFPD) Office.

#### **Applicability:**

This Plan shall be administered within the jurisdiction of the local fire district and on private land outside the fire district by the Custer County Fire Warden following the guidelines contained in this plan.

#### **Definitions:**

Agricultural Open Burning: As established in Colorado Air Quality Control Commission's Regulation 9, agricultural open burning is "the burning of cover vegetation for the purpose of preparing the soil for crop production, weed control, maintenance of water conveyance structures related to agricultural operations, and other agricultural cultivation purposes." Open burning of animal parts or carcasses is *not* agricultural burning (unless the State Agricultural Commission declares a public health emergency that requires the burning of diseased animal carcasses). Open burning of household trash, wood, and yard debris on agricultural land is *not* agricultural burning and is *not* exempt from State permitting requirements.

Burn Manager: An individual who obtains a valid Open Burn Permit in order to plan, build, control, extinguish, and otherwise supervise an open burn.

Burn Boss: An individual who has completed the Colorado Department of Fire Prevention and Control (DFPC) or National Wildfire Coordinating Group (NWCG) Certified Burner course and is a registered Certified Prescribed Burn Boss in accordance with Senate Bill 13-083 "Colorado Prescribed Burning Act".

Fire Districts: Wet Mountain Fire Protection District (WMFPD)

Open Burn: The controlled burning of natural materials, not trash, gathered in a manageable state usually as a result of mitigation efforts.

Open Burn Permit: A permit kept on file on a form at the WMFPD Office.

**Open Burn Rules:**

1. All open burns require burn managers and burn bosses to read and understand the Custer County Open Burn Plan and complete the Open Burn Permit process through the WMFPD.
2. All open burns, as defined by the DFPC/CDPHE, require a separate permit issued by CDPHE.
3. No open burns, including agricultural burns, shall be permitted on days when the Fire Authority has issued a fire danger rating of High, Very High, Extreme or a Red Flag Warning has been issued.
4. Open burning that is emits odor or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.
5. No burning of tires or hazardous materials will be permitted.
6. Open burning shall not be conducted within fifty (50) feet of any structure or other combustible materials. Conditions which could cause the fire to spread to within 50 feet of a structure shall be eliminated prior to ignition.
7. A minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be readily available for use at open burning sites.
8. Open burning shall be *constantly* attended or monitored by the burn manager from ignition to the time it is extinguished. A single burn day's event will consist of up to three piles of a maximum of 512 cubic feet per pile in any properly constructed configuration. Dimensions may vary as long as cubic footage is maintained. Example 8' wide x 8' long x 8' high
9. Start ignition early enough on reported day of ignition to allow adequate time for the burn to extinguish by sunset of the same day of ignition.
10. Burn Managers shall "chunk" burn pile as needed. That is, before the fire self-extinguishes and after the fire has burned down enough that the work can be done safely, consolidate partly burned wood to promote renewed flaming. Focus on pieces of wood that are smoldering, especially those that extend beyond the burned edge of the pile. Usually the easiest way is to toss outer sticks back into the center of the pile's footprint. Alternatively, extinguish smoldering wood by placing individual pieces separately in the burn area, and scraping the charred wood as needed with a shovel or similar tool. Chunk pile by sunset of the same day it was ignited.
11. Representatives of WMFPD or any other appropriate fire authority and Custer County Sheriff's Office are authorized to require that any open burn or recreational fire be immediately

discontinued if they determine that the smoke emissions are offensive to occupants of surrounding property or if the open burn is determined to constitute a hazardous condition.

12. The Open Burn Permit shall be logged and available at the WMFPD Office and made available to other appropriate authorities when requested.

13. The Burn Manager, on the day of the burn and prior to ignition, must contact the FRECOM dispatch. Burn Manager will be provided a permit number when calling. Permits shall be kept for a period 18 months from the date of issue.

**Duties and Responsibilities:**

Custer County Public Health Agency (CCPHA): shall perform the following duties.

1. Adhere to and enforce the functions and duties as described in the Delegation of Authority from CDPHE and the Custer County Board of County Commissioners.
2. Respond to the inquiries of Custer County citizens who may have health-related sensitivities to smoke.
3. Maintain a current list of persons who have contacted CCPHA with respiratory issues and their place of residence. Provide this list as regularly updated to WMFPD to be passed on to open burn permit holders so they may give proper notice of their open burn date to those affected.
4. Respond to any smoke related open burning complaints that it receives.

Fire District or County Emergency Manager: shall perform the following duties.

1. The Fire Districts and County Emergency Manager shall participate in trainings pertaining to fire safety and/or air quality offered by Custer County Public Health Agency (CCPHA) and/or Colorado Department of Public Health and Environment (CDPHE).
2. Make Open Burn Plan available to public at The Custer County website, keep posted in the County Courthouse, available at the Custer County Sheriff's Office, Wet Mountain Fire Protection District, Wetmore Volunteer Fire Dept., and Custer County Office of Emergency Management as well as the CCPHA.
3. The Fire District shall retain Open Burn Permits for at least eighteen (18) months from the date of issuance. If requested by the Colorado Air Pollution Control Division (CAPCD) and/or CCPHA, the Fire District or Sheriff's Office shall provide records pertaining to burn permits within ten (10) days of said request.
4. The fire district will provide appropriate literature to the permittee as follows but not limited to:

- a) County ordinances and regulations relative to Burning activities.
- b) Construction of Burn piles.

5. The Fire District may conduct an inspection of any open burn site or burn plan to be performed by a Burn Manager or Certified Burn Boss before a permit is issued.

The Wet Mountain Fire Protection District is the issuing authority for Open burn Permits under authority of the Custer County Open Burn ordinance. These permits are based on the restrictions and definitions contained therein and by the terms and restrictions contained in this plan. However open burn activities may be under State or Federal provisions regulating air quality and other environmental considerations. It is the responsibility of anyone conducting burn activities to comply with other governing regulations.