

APPENDIX 1 (MANUAL OF PROCEDURES)  
AGRICULTURAL BURNING EMISSION REDUCTION CREDIT (ABERC) BANK  
(Adopted 5/12/2015)

A. Introduction and Content

This Appendix 1 (Manual of Procedures) sets forth procedures relating to the application, calculation, review, registration, tracking and use of Emission Reduction Credits arising from the reduction in open burning of biomass material as provided in Rule 214.3, Agricultural Burning Emission Reduction Credit Bank. The Agricultural Burning Emission Reduction Credit (ABERC) application, calculation, and banking system contain the following requirements and elements:

A.1 Standard Application Form:

The application must contain sufficient information on the legal trail from landowner to applicant (if the applicant is not the owner) to input into a database and confirm legal authority for the ABERC Certificate application. Also the database will have: Current applicant information, the agricultural burn permit number, current landowner's information, Authorized Designee, and the name of the owner of the ABERC.

A.2 Specific Application Procedures:

The Parcel ID information shall contain the gate and canal, land owner name, nearest cross roads, lessee/grower name, and may include a map of the parcel (if requested). The application will also specify the acres, crop type and the planned disposition of crop.

A.3 Standard calculation template with example:

This manual of procedures provides a standardized calculation template and examples for various crops and scenarios.

A.4 Sample ABERC certificate:

The certificate lists the certificate number, pollutants, life value and amount of the ABERC's and ownership of the ABERCs.

A.5 Specific procedures for use and change of credits:

Changes can be made in ownership of credits or modification. Amendment forms are provided to facilitate the quick re-issuance of certificates with changes.

A.6 Manual of procedure forms:

This manual of procedures contains examples of forms that will be necessary including an application form, parcel identification form, designation of authority form, transfer form and a cancellation form.

## B. ABERC Application Procedures

### B.1 Application Forms:

Applications for Agricultural Burning ERC certificates shall be submitted on the following forms:

- Application cover page (Attachment A)
- Parcel identification page (Attachment B)
- Designation of authority page(Attachment C)

For modifications

- Application to Transfer ABERC (Attachment D)
- Application to Cancel ABERC (Attachment E)

## C. Agricultural Burning ERC Calculation Procedures

The District will determine ABERC value for each pollutant based on the following:

- C.1 Basic information: the applicant shall provide data on the crop type, exact location of the parcel including nearest crossroads and any other information necessary to identify the parcel location. The type of biomass residue and the acreage burned (AB) will be used in the ABERC calculation.
- C.2 Historical burn fraction (HBF): The historical burn fraction was estimated using the historically burned acreage for Wheat and Bermuda during the year's 1986 on through 1995. The period reflects the total planted acres for both crops. A detailed evaluation of HBF for these two crops is provided in Attachment F. This data was obtained from the District's agricultural burn records during the time of the 1996 revision to Rule 214 Emission Reduction Credit Banking. The HBF is a specific adjustment to the amount of ABERC's available in Imperial County.
- C.3 The District will use the biomass fuel loading (FL) and emission factors (EF) for each crop listed in the CARB approved Agricultural Burning Emission Factors, discussed in a memorandum dated August 17, 2000 (Attachment G) and where applicable AP-42 calculations.
- C.4 The District will determine ABERC's value separately for each crop type, for each pollutant according to the following formula:

$$\text{ERCs} = \text{AB} * \text{HBF} * \text{FL} * \text{EF}$$

Where:

ERCs	=	Emission reduction credit for each pollutant in pounds.
AB	=	Acreage burned is specific to the parcel(s) for which open burning will be or was restricted by the season.
HBF	=	Historical burn fraction or the fraction of actual harvested acreage for each crop type which was historically open burned.
FL	=	Fuel loading factor in dry tons per acres.
EF	=	Emission factor in pounds per dry ton.

#### D. Application Completeness

To be considered complete an application for an ABERC must include the District's burn permit number and parcel specific information to verify acreage burned and crop type as a minimum. An application should also specify name, address and phone number for the landowner and authorized designee (if different than landowner) and identify the name of the person or company under whom the ABERC certificate will be issued. .

#### E. Application Fees

An applicant shall pay ABERC certificates fees according to Rule 308, Emission Reduction Credit Bank fees. The applicable fees shall be provided at the time of the submittal of the application.

#### F. Procedures for use and modification of Agricultural Burning ERC's.

Procedures for application for and registration of ABERC's are set forth in the Rule 214.3, Agricultural Burning Emission Reduction Credit Bank. The ABERC's may be used as air emission Offsets. Such Offsets may be required under the New Source Review Rule (Rule 207) or by other regulatory or land use authorities. ABERC's may be used as Offsets for emissions of sources off the parcel site but generally within the Salton Sea Air Basin. In order to be used by another party the ABERC's must be transferred to such party by the registered owner of the ABERC's. Alternatively, the ABERC's may be applied for in the first instance by the party intending to use the ABERC's if the landowner, or the landowner's authorized agent, authorizes the user to make such an application on behalf of the landowner or the landowner's authorized agent.

- G. ABERC's may be transferred by the registered owner upon application and payment of a transfer fee as required by the District's Rule 308. Applications for transfers shall be made by submission of an Application to Transfer ERC form (Attachment D).
- H. ABERC's may be canceled upon surrender of the ABERC certificate(s) by the registered owner. An application for cancellation shall be made by submission of an Application to Cancel an ABERC form (Attachment E).
- I. Application Review Procedures

The time periods stated in Rule 214.3 for determining application completeness, doing calculations, processing the application, and making a final decision are the maximum time frames allowed. Every effort will be made to complete the analysis and make a decision as quickly as possible consistent with District workload. Time periods in this section may be extended by mutual agreement of the applicant and the District. The District shall determine whether an ABERC Certificate application is complete not later than thirty (30) calendar days following receipt of the application. If the District does not find the application incomplete within the specified time period above, then the application shall be deemed complete.

If the District determines that the application is not complete, the applicant shall be notified in writing of the decision, specifying the additional information that is required. The applicant shall have ninety (90) days to submit the requested information. Upon receipt of additional information, the District shall have thirty (30) days to determine completeness. If no data is submitted or the application is still incomplete, the District may cancel the ABERC Certificate application with written notification to applicant.

Upon determination that the application is complete, the District shall notify the applicant in writing. Thereafter, only supplemental information to clarify or correct submitted information in the application may be requested.

If the District determines that the ABERC may be issued within fifteen (15) calendar days of receipt of the original or a revised application then no such written notification need be made.

Withdrawal of an ABERC Certificate application by an applicant shall result in cancellation of the application; any re-submittal will be processed as a new application.

For ABERC Certificate applications, not requiring a public comment period, final action will be taken within 30 days of the District receiving a complete application. For open biomass burning applications, requiring a public comment period, final action will be taken no later than 30 days upon conclusion of the 30 day comment period.

For Certificate applications for ABERC's for parcels of 500 acres or larger, the District shall have 60 days to perform an initial assessment of the application. Upon completion of the initial assessment, the District shall provide written notice of acceptance to the California Air Resources Board and publish notice in a local newspaper of general circulation. The notice shall specify the applicant and the quantity of emission reductions requested and a statement of the initial assessment.

The notice requirements related to the issuance of ABERC's may be waived by the District if the ABERC's applied for are less than 500 acres.

Publication of the notice shall commence a thirty (30) day public comment period during which the District shall accept written comments on the merits of the ABERC Certificate application. Upon conclusion of the 30 day comment period, the District shall have another thirty (30) days to render a decision to approve, conditionally approve, or deny the application. This decision shall be provided in writing to the applicant.

The applicant or any other party may appeal the District's decision following provisions specified in District's appeals rule.

#### J. ABERC Certificate Banking Register System

Each ABERC Certificate shall be numbered consecutively, bear the date of issuance, be signed by the District official charged with the responsibility of keeping the ABERC Banking Register, and bear the seal of the District. One copy of the ABERC Certificate shall be retained by the District and the original shall be delivered to the owner or party acting for the owner. The record of issued ABERC Certificates shall be retained by the District. Delivery by the District of an ABERC Certificate to an owner shall be accomplished in Person or by registered mail. The Person accepting the ABERC Certificate must sign a receipt thereof and provide such proof of identity as the District shall require.

All ABERC's which are granted will be entered into a database to keep track of pertinent information. The District shall maintain a file for each ABERC Certificate application processed and for which ABERC certificates were granted.

#### K. Conflicts between documents

In the event that any of the procedures contained in the Manual of Procedures conflicts with Rule 214.3 Agricultural Burning Emission Reduction Credit (ABERC) Bank, the provisions of Rule 214.3 shall control.