

Open Burning under a Community Wildfire Risk Reduction Plan

August 2021

The Open Burning Smoke Control Regulation (OBSCR) was enacted on September 15, 2019. Parts 1 and 2 of the updated regulation (sections 1-16) apply to all burning of vegetative debris unless specifically exempted in another section. Part 3 of OBSCR (sections 17-28) consists of five divisions (sets of regulatory requirements). For this part of OBSCR, burners must comply with section 17 and all the regulatory provisions of **one** applicable division.

The updated regulation includes a division that enables certain burning for wildfire risk reduction in the Wildland-Urban Interface (WUI). Burning under a plan for Community Wildfire Risk Reduction (CWRR) may take place under regulatory provisions for: Division 2 (Plans for Community Wildfire Risk Reduction); Division 1 (High, Medium and Low Smoke Sensitivity Zones); or Division 5 (Air Curtain Incinerators).

This factsheet focuses on explaining the regulatory requirements of Division 2: Community Wildfire Risk Reduction. Information on burning under other divisions may be found in separate factsheets on the [Ministry's OBSCR webpage](#).

What open burning is subject to OBSCR?

Nearly all open burning of vegetative debris is subject to OBSCR and must follow the requirements of the regulation. This includes Categories 2 & 3 open fires as defined in the [Wildfire Regulation](#). One key exception is resource management open fires that are conducted in accordance with the [Wildfire Act](#) and [Wildfire Regulation](#). These fires are not subject to the OBSCR, however the approved prescribed fire burn plans for these fires will typically contain measures to minimize impact on community air quality.

Open burning of waste materials such as garbage, treated wood and demolition debris is prohibited. A complete list of prohibited materials is found in Schedule 1 of the [Waste Discharge Regulation](#) and the [OBSCR General Requirements Factsheet](#).

What qualifies as a "plan for CWRR"?

A prerequisite for burning under Division 2 of OBSCR is that there must be a plan for community wildfire risk reduction for the area in question. The proposed burning must be part of that plan. A plan for community wildfire risk reduction means: "a plan, or an addendum to a plan, developed or endorsed by the government, a local government, a band council, a treaty first nation or the Nisga'a Government."¹

A CWRR Plan must:

- Describe the risks and threats posed to a community related to a fire starting outside of the community.
- Identify the measures necessary to mitigate the risks.
- Outline a plan of action to implement the measures.
- Identify the geographic areas to which the plan applies.

¹ In the context of this definition "the government" means the British Columbia provincial Government. "Endorsed by the government" means approved or endorsed by a delegated official in the BC Wildfire Service, BC Parks, or another provincial government department with land management responsibilities.

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Before undertaking a CWRR plan

- Familiarize yourself with sections 1-17 of the regulation. These sections apply to all burning of vegetative debris unless exempted by another OBSCR provision.
- You must keep a written record with information about the burn.
- Choose the Division under which you will burn. You must then follow regulatory requirements set out in OBSCR for that Division:
 - Division 1 – The general rules for burning in the high, medium or low smoke sensitivity zones may make sense for CWRR burning that is not challenged to meet the setbacks of section 13.
 - Division 5 – Air Curtain Incinerators. The use of air curtain incinerators for CWRR burning may make sense in a case where smoke reduction is paramount or where the flexibilities of using an air curtain incinerator will facilitate the burning.
 - Division 2 – Community Wildfire Risk Reduction. This division was created specifically to facilitate certain CWRR burning and will most often be the appropriate division to follow.

Exemptions and requirements for burning under a CWRR plan

Provided that all requirements set out in Division 2 are met, burning under a CWRR plan is exempted from seasoning requirements and minimum setback distances are reduced:

- The debris does not need to be seasoned (exempt from section 11(c)).
- The minimum setbacks are reduced to 50 m from businesses and residences and 100 m from schools, hospitals and community care facilities (exempt from section 13).



At least ten and up to ninety (10-90) days before burning you must:

- Submit plan and description of proposed locations of burning to “The Director”² by email to: OBSCR@gov.bc.ca.
- The plan must state that the proposed open burning is an action in the plan.
- The email submission to the director should include the following information:
 - The government(s) that have endorsed the plan.
 - If endorsed by the B.C. government, the name the delegated official who endorsed the plan.
 - The other required elements of a CWRR plan (see text box on previous page).
 - If the email includes multiple attachments, then a description of the plan elements to which each attachment applies.

² “The Director” is a designated official within Ministry of Environment and Climate Change Strategy under the *Environmental Management Act*.

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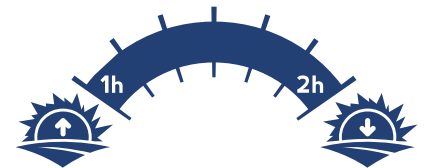
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At least 24 hours before the start of burning

- All people within 150 m of the planned burn must be notified at least 24 hours before the burn.
- Notification can be earlier (than 24 hours beforehand) and may include community notices, signage in the area of burning, newspaper, social media, phone calls, and/or emails.
- All reasonable effort must be made to inform occupants and managers of all residences, businesses, schools, hospitals and community care facilities. It is the responsibility of the burner to ensure proper notification.

Day of burn

- **Division 2 allows for a maximum burn time of less than one day.**
- To start burning, the afternoon ventilation forecast must be **GOOD** or **FAIR** for the day of the burn.
- OBSCR allows the use of the ventilation forecast issued by Environment and Climate Change Canada and distributed by the B.C. Ministry of Environment and Climate Change Strategy. It also allows the use of a custom ventilation forecast that meets the requirements of OBSCR (see sections 1 and 16).
- You may not start the burn earlier than one hour after sunrise. It must end by 4 p.m. , or at least two hours before sunset (whichever is later).
- If you need a longer burn time, consider burning under Divisions 1 or Division 5.



Ventilation Index

To find the current forecast for your location check on the [B.C. Ventilation Index Forecast](#) website, use the interactive map hyperlinks provided on the website, or call the toll free number.



Ventilation Index:
1-888-281-2992

Common Questions about CWRR plans

What are some types of plans for CWRR?

In addition to plans developed and endorsed by local governments and First Nations governments, there are several types of plans endorsed by the provincial government that meet the requirements defined in OBSCR. Examples could include CWRR plans developed and signed by a Natural Resource District, Fire Centre or BC Parks delegated decision maker (e.g., Land Manager). A stand-alone fuel management prescription endorsed by government may also constitute a plan for CWRR.

Does the Director have to approve the plan for CWRR?

The primary reason for the requirement that a CWRR plan be submitted to the Director, is to ensure that compliance staff are aware of the planned CWRR burning. OBSCR does not provide a decision-making role for the Director to approve or reject plans for CWRR. The Director may advise if a submitted plan appears deficient, however it is the responsibility of the burner to ensure that they are operating under a valid plan for CWRR (i.e., that the plan meets the OBSCR definition). Burning under the rules of Division 2 without a valid plan for CWRR would violate section 17 of OBSCR.

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How does this regulation affect slash burning from harvesting activities or land clearing around communities?

Categories 2 & 3 open burning of residual debris from forest harvesting activities or land clearing does not generally fit within the definition of a plan for CWRR endorsed by government. While there may be a legal requirement under the *Wildfire Act* and Regulation to abate fire hazards that are created by activities such as logging, open burning to abate this hazard is not the same as burning under a plan for CWRR. To burn vegetative debris from forestry operations or land clearing, follow Divisions 1 or 5 of OBSCR. An exception to this would be if the open burning of residual debris from harvesting activities in an area is specifically included within a government endorsed plan for CWRR.

Are there other options for burning under a CWRR?

It is possible for a Ministry of Environment and Climate Change Strategy statutory decision maker to issue an approval for burning under a CWRR plan. The approval holder will be exempt from many of the provisions of OBSCR (see section 4(2) of the regulation). In place of those provisions an approval would set out a specific set of requirements for the burning that must be followed, along with all the provisions of OBSCR that still apply.

In deciding whether or not to issue an approval and deciding the conditions of an approval, the statutory decision maker may consider a wide range of factors including: sensitivity of the local airshed; likelihood and severity of potential air quality impacts from burning; feasibility of burning under the regulation; and feasibility of other options for utilizing or disposing of the debris.

Information on applying for waste discharge authorizations (including approvals) can be found on the Ministry's [waste discharge authorizations webpage](#). Applying for an approval for CWRR burning should be considered only as a last resort. It can be time consuming, may require significant information to be submitted, and requires an application fee. In addition, the applicant will need to demonstrate that they have taken all reasonable steps to accomplish the proposed burning within the requirements of OBSCR before an approval to burn would be considered.

How do I report possible illegal burning?

Anyone impacted by smoke from burning activities or witnessing illegal burning can contact the 24-hour RAPP (Report All Poachers and Polluters) tip line: 1-877-952-7277 (RAPP) or #7277 on the TELUS Mobility Network. If the situation is not an emergency, report the incident online by following the links on the [Conservation Officer Service RAPP webpage](#).

Persons preparing for or conducting an open burn should review and comply with the legal provisions set out in the [Open Burning Smoke Control Regulation](#). This Factsheet provides summary information only.



More Information

For additional information see the Ministry's [Open Burning Smoke Control Regulation](#) webpage or send your inquiry to: OBSCR@gov.bc.ca