

EXHIBIT D5

The National Agricultural Law Center and University of Arkansas System Division of Agriculture also published a [report](#) on agricultural burning and air quality.

Idaho

1. I.C. § 39-114
 1. Protects burning of crop residue as an allowable form of open burning. Requires burning to be conducted in the field in which residue was generated. Prohibits burning under certain air quality circumstances. Requires department to post prior to a burn information relating to the date, location, acreage, and crop type to be burned. Requires air quality review for certain burning of bluegrass exceeding 20,000 acres.
2. IDAPA 58.01.01.617-624
 1. Requires permit for related burning and annual registration information, to include fuel characteristics and preventive measures like water availability and plowed firebreaks.
 2. Prescribes the development of a Crop Residue Operating Guide.
 3. Outlines burn approval criteria, including expected emissions, proximity to other burns, moisture content, fuel characteristics, meteorological conditions, proximity to sensitive populations, public roadways, and airports.
 4. Describes burn provisions, including restricted days/times, communication tools, location stipulations, burn limitations, required trainings, air quality considerations, allowable forms of ignition, and permitting and reporting requirements.
3. The Department of Environmental Quality hosts a comprehensive [site](#) to support the permitting process.
 1. [Crop Residue Burning Operating Guide](#)

Indiana

1. Division of Fish & Wildlife Prescribed Burning [guide](#)
 1. Includes guidance on humidity, temperature, wind, and timing.

Kansas

1. K.A.R. [28-19-648](#)
 1. Outlines conditions for open burning of crop residue, including notification, traffic and airport safety requirements, and supervision standards.

Oregon

1. O.R.S. § 468A.612
 1. Empowers the Environmental Quality Commission to prohibit field burning of grass seed crop residues or cereal grain crop residues in areas determined by the commission to be critical nonburn areas.
2. OAR 340-266
 1. Requires acreage registration and mapping and burn permitting.
 2. Requires reasonable efforts to promote efficient burning through even distribution, dry material, and good burning condition.

3. Empowers the Department of Environmental Quality to determine daily open burning hours subject to air quality considerations.
4. Outlines regional and county level acreage limitations.
5. Describes geographic limitations based on proximity to population centers, highways, and airports.

Washington

1. WAC SRCAA § 6.11
 1. Outlines agricultural burning in Spokane County, to include demonstrations of necessity and material and location prohibitions. Empowers the authority to establish conditions for permitting that prioritize air quality, including acreage, hours, and volume, and weather conditions.