

**North Coast Unified  
Air Quality Management District**  
707 L Street, Eureka, CA 95501  
(707) 443-3093  
[www.ncuaqmd.org](http://www.ncuaqmd.org)



**Meeting of the  
North Coast Unified Air Quality Management District  
Governing Board of Directors**

Thursday, July 20, 2023 at 10:00 a.m.,  
NCUAQMD District Office  
707 L Street, Eureka, CA 95501

**AGENDA**

- |    |                                       |                    |
|----|---------------------------------------|--------------------|
| 1. | <b>10:00 A.M. Call to Order</b>       | <b>Board Chair</b> |
| 2. | <b>Roll Call</b>                      | <b>Clerk</b>       |
| 3. | <b>Changes or Deletions to Agenda</b> | <b>Board Chair</b> |

**CONSENT AGENDA**

- |     |  |                    |
|-----|--|--------------------|
| 4.  | <b>Consider Approving the Consent Agenda, Items for action, 4.1 through 4.3:</b> The Board may approve the Consent Agenda by single motion in whole or in part with or without further discussion.<br><u>Action Requested:</u> Approve Consent Agenda Items 4.1 through 4.3. | <b>Board Chair</b> |
| 4.1 | By Consent, Approve Minutes of May 18, 2023 Board Meeting  |                    |
| 4.2 | By Consent, Accept and File District Activity Report   |                    |
| 4.3 | By Consent, Accept and File APCO Personnel Evaluation and APCO Employment Contract   |                    |

## REGULAR AGENDA

5. **Public Comment Period** (pursuant to Government Code section 54954.3(a)) **Board Chair**
6. **Adoption of Post-Employment Benefits Trust** **APCO**  
Action Requested: Adopt Resolution 2023-4 Authorizing Participation in the PARS Post-Employment Benefits Trust Program, and Appointing the APCO as the District's Plan Administrator
7. **Reauthorization of Burn Barrel Exemptions** **APCO**  
Action Requested: Approve Resolution 2023-5 Requesting CARB Designate Specific Areas within the District as Exempt from the State's Residential Open Burning ATCM Prohibition on Burn Barrels
8. **Accept CARB Woodsmoke Program (YR3) Grant Agreement and Approve Funding in FY 2023-24 Budget** **APCO**  
Action Requested: Adopt Resolution 2023-6 Authorizing APCO to Enter into the CARB Woodsmoke Reduction Program YR3 Grant Agreement, and to Include These Grant Funds in the FY2023-24 Operating Budget
9. **Closed Session: Conference for Labor Negotiations** **Board Chair**
  - a. Discussion concerning OE3 labor negotiations pursuant to Government code 54947.6  
Representing District: APCO and District Counsel
10. **Report Out From Closed Session** **Board Chair**
11. **APCO Report** **APCO**
12. **Board Member Reports** **Board Chair**
13. **Adjournment** **Board Chair**

*The meeting rooms are ADA accessible. Accommodations and access to NCUAQMD meetings for people with special needs must be requested of the Clerk in advance of the meeting.*

# Agenda Item: 1

## Call to Order

# Agenda Item: 2

## Roll Call



Agenda Item: 3  
Changes & Deletions  
to the Agenda

# Agenda Item: 4

## Consent Agenda

# Agenda Item: 4.1

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**Minutes of the Special Meeting of the North Coast  
Unified Air Quality Management District Governing  
Board of Directors Meeting of  
May 18, 2023**

The meeting was called to order by Chair Chris Howard at 10:04 AM at the NCUAQMD District Office: 707 L Street, Eureka, CA.

The meeting location was made available to the public.

**MEMBERS PRESENT:**

Rex Bohn	Humboldt County Supervisor
Chris Howard	Del Norte County Supervisor
Alexandra Stillman	City of Arcata Councilmember

**MEMBERS ABSENT:**

Dan Frasier	Trinity County Supervisor
Mike Wilson	Humboldt County Supervisor

**STAFF PRESENT:**

Brian Wilson	APCO
Jason Davis	Deputy APCO
Penny Costa	Financial & Admin Services Manager
Erin Squire	Clerk of the Board

**OTHERS PRESENT:**

Jeff Stackhouse	Member of the Public
Kai Ostrow	Member of the Public
Henri Holbrook	Member of the Public
Lenya Quinn-Davidson	Member of the Public
Mitch Hunt	Member of the Public

**Agenda Item 1: Call to Order**

**Agenda Item 2: Roll Call**

### **Agenda Item 3: Changes or Deletions to the Agenda**

The APCO noted that a change in order to Agenda Item 9: APCO Report could take place due time restrictions, option was recognized by Chair Howard.

There was no public comment.

### **Agenda Item 4: Consider Approving the Consent Agenda**

4.1: Approve Minutes of the April 20, 2023 Board Meeting

4.2: By Consent, Accept and File District Activity Report

A motion offered by Councilmember Stillman duly seconded by Supervisor Bohn, to Adopt Consent Agenda Items 4.1-4.2, is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 18<sup>th</sup> day of May 2023, by the following votes:

UNANMIOUS PASS by the following vote:

Ayes:	Supervisor Bohn, Supervisor Howard, Councilmember Stillman (3)
Nays:	None (0)
Abstain:	None (0)
Absent:	Supervisor Frasier and Supervisor Wilson (2)

There was no public comment.

### **Agenda Item 5: Public Comment**

Public Comment was provided by the following public members on the noted topics:

Jeff Stackhouse, provided handout titled “2023 NCUAQMD Smoke Management/Burn Permitting Discussion Seeking Opportunities to Streamline”, comments were provided on the District’s Prescribed Burn Program.

Lenya Quinn-Davidson, comments were provided on the District’s Prescribed Burn Program.

Kai Ostrow, comments were provided on merits of prescribed burning and the District’s Prescribed Burn Program.

Henri Holbrook, comments were provided about a type of burning called “Swamper Burning” and the merits of allowing this burn type.

The Board requested a continued discussion on the District’s Prescribed Burn Program at the July 20, 2023 meeting however due to scheduling conflicts the continued discussion will be scheduled at a later time. This discussion may take place as a workshop, outside of a regularly scheduled meeting. Chair will work will Staff on setting a time and format.

**Agenda Item 6 Revise Previous Increase For District X-Factor by Change in Consumer Price Index**

Staff explained a misinterpretation of Rule 400(B).

A motion offered by Councilmember Stillman, duly seconded by Supervisor Bohn, to Approve Resolution 2023-3: Rescind Resolution 2023-1, and Increase District X-Factor By Annual Average Percentage Change In Consumer Price Index (CPI) from the Previous Year, is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 18<sup>th</sup> day of May 2023, by the following votes:

UNANMIOUS PASS by the following vote:

Ayes:	Supervisor Bohn, Supervisor Howard, Councilmember Stillman (3)
Nays:	None (0)
Abstain:	None (0)
Absent:	Supervisor Frasier and Supervisor Wilson (2)

There was no public comment

**Agenda Item 7: Public Hearing: Proposed FY 2023-24 District Budget**

Chair Howard opened the Continued Public Hearing at 10:24 AM and closed the Public Hearing at 10:33 AM.

The APCO presented updates and notable items from the Proposed 23-24 FY Operating Budget with a PowerPoint presentation. The presentation was not included in the published board packet and is attached.

A motion offered by Supervisor Bohn, duly seconded by Councilmember Stillman, to Close Public Hearing and Adopt the Proposed FY 2023-24 District Budget is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 18<sup>th</sup> day of May 2023, by the following votes:

UNANIMOUS PASS by the following Roll Call vote:

Supervisor Bohn	Aye
Supervisor Howard	Aye
Councilmember Stillman	Aye
Supervisor Frasier	Absent
Supervisor Wilson	Absent

There was no public comment.

**Agenda Item 9: APCO Report**

Agenda Item 9 and 10 were moved to before Agenda Item 8.

The APCO reported out on the following:

- Status on District Pension & Other Post Employment Benefit (OPEB) Liability Trust Fund
- American Lung Association (ALA) State of the Air Report
- New Statewide CAL FIRE Burn Permit System
- CARB Approves Advanced Clean Fleets Rule (Accelerating Heavy Duty ZEVs)

There was no public comment.

### **Agenda Item 10: Board Member Reports**

There was no Board Member Reports.

### **Agenda Item 8: Closed Session: Conference for Labor Negotiations**

- a. Personnel Performance Evaluation, APCO - Pursuant to Gov't. Code sec. 54957, and
- b. Labor Negotiations, Unrepresented Employee, APCO - Pursuant to Gov't Code sec. 54957.6

The Board adjourned to Closed session at 10:43 AM and adjourned upon completion at 10:50 AM.

There was no report out from Closed Session.

There was no public comment.

### **Agenda Item 11: Adjournment**

The Governing Board Meeting was adjourned at 10:50 AM.

#### Clerk of the Board Certification:

I hereby certify the foregoing to be a full, true, and correct original record of the above-entitled meeting of the North Coast Unified Air Quality Management District Board of Directors held at the above date and time.


DocuSigned by:  
*Erin Squire*  
22DC8E014F12414  
\_\_\_\_\_  
**ERIN SQUIRE**  
Clerk of the Board

7/17/2023 | 9:33 AM PDT  
\_\_\_\_\_  
Date

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## NCUAQMD Proposed Budget FY 2023-24


May 18, 2023



Slide 1

### FY 2023-24 Proposed Budget Background Information


- ✓ Noticed per California Health & Safety Code, Section 40131.
- ✓ 30-day public comment period - began March 21, 2023.
- ✓ Initial public hearing - noticed – April 20, 2023.
- ✓ Proposed Draft Budget has been available for public review in the District office and on the website.
- ✓ Public comment period ends at the meeting when the final budget adopted.
- ✓ No public comments have been received.



Slide 2

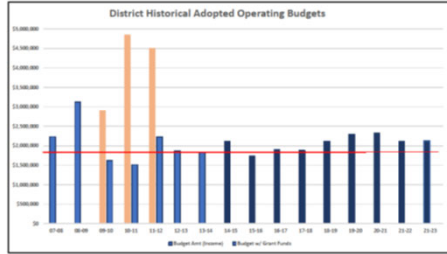
### FY 2023-24 Proposed Budget Aspects Unique to District Budgeting

- Revenue items can vary greatly (permits, applications, major source (Title V) fees on production/usage, fees based on emissions, grant admin, etc.).
- Expense items can vary greatly (wildfire response unfunded, Group Insurance rate increases, air monitoring station equipment repairs, grant admin, etc.).
- The District does not receive any tax base and operates on mix of state funds, grant admin, and is fee for service.
- Grant Administration funds may be received in a prior FY and spent from the Reserve Fund in another FY.

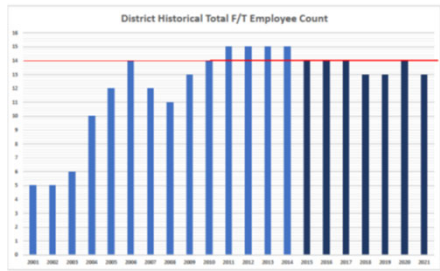


Slide 3

### FY 2023-24 Proposed Budget Historical Operating Budgets



### FY 2023-24 Proposed Budget District Staffing



### FY 2023-24 Proposed Budget Change in District Grant Programs

**DISTRICT GRANT PROGRAMS HAVE CHANGED**

Grants	(2010-2015)	2015 - present
Carl Meyer Grants	\$350,000/yr	\$350,000/yr (+\$500,000 for other districts)
AB923 Grants	\$0/yr	\$300,000/yr (\$1.6 million total)
Lower Emission School Bus (LESB) Grants	\$3,000,000 total	\$100,000/yr (\$375,000 total)
District Woodsmoke Grants	\$10,000/yr	\$50,000/yr
EPA CAA 103 PM2.5 Air Monitoring Grants	\$20,000/yr	\$150,000/yr (\$450,000 total)
CARB Woodsmoke Grants		\$1,650,000 total
FARMER Grants		\$3,000,000 total
TIMBER Grants		\$2,000,000 total
Oil & Gas Reimbursement Grants		\$15,000/yr
Emission Inventory Reimbursement (AB197) Grants		\$150,000/yr
Prescribed (Rx) Fire (SB1260) Grant		\$50,000/yr
Community Air Protection Program (CAPP AB617) Grants		\$15,000,000 total
Rural School Bus Pilot Project (RSBPP) YR1 Grant		\$24,000,000 total
Rural School Bus Pilot Project (RSBPP) YR2 Grant		\$18,000,000 total
Rural School Bus Pilot Project (RSBPP) YR3 Grant		\$3,000,000 total
Rural School Bus Pilot Project (RSBPP) YR4 Grant		\$3,000,000 total
	-\$4.8million	-\$39 million

Note that District Budget is 9 pages now, where last 4 pages are just the grants alone.



## FY 2023-24 Proposed Budget District Workload Changing

### Examples of change/growth in District's workload tasks

- 170 sources to 600 minor source permits – inspections, reporting
- 7 Major sources (Title V) 15 years ago, now 3 major sources
- 10 years ago 4 Diesel engine permits, now over 250 permits
- Emission Inventory, HRAs, & Toxics (AB2588, AB197)
- Now at over 7,300 burn permits (more than any District by far)
- Smoke Management Plans submitted have doubled and tripled
- 200-400 Burn authorizations/month during season (more than other Districts)
- More Asbestos permits/reviews
- Air monitoring equipment upgrades and EPA requirements
- 4 grant programs in past, over time grown to 17 grant programs
- Request For Comments from govt agencies increased
- Daily wildfire notifications to public/press has grown
- Increase in EPA and CARB regulations affecting sources and permits

Slide 1

## FY 2023-24 Proposed Budget Key Items Preventing a Balanced Budget

### Significant items on income side:

- Decrease in revenue from two Major Title V sources. [Budget Acct #43150]
- Actual revenue for the FY from grant reimbursements varies despite grant amount accepted; use of carryover funding.
- There have been no increases to fee tables for permitted sources (X-Factor) in 7 years beyond CPI.

➤ Overall, roughly a \$20k decrease in income

Slide 8

## FY 2023-24 Proposed Budget Key Items Preventing a Balanced Budget

### Significant items on Expense side:

- Increases in Group Insurance Plans by CalPERS – continues to affect health plan premiums for both employees and retirees. [#60175, #60184]
- Increase in pension liability (CalPERS) and pending larger increases due to possible pension fund losses (AUAL). [#60150]
- Increase in Vehicle maintenance due to fuel costs. [#60950]
- Over the years there have been steady increases in liability insurance (SDRMA), health insurance, software/online programs, communications, memberships (CSDA, CAPCOA, etc.), etc.

➤ Overall a \$140k increase in expenses

Slide 9

## FY 2023-24 Proposed Budget Preliminary Steps to Balance the Budget

- Initial measures already taken:
  - Unfunded one open staff position (Air Quality Specialist) - \$110k. [#60050]
- Regarding deficit balance proposed:
  - Last year deficit budget approved at about -\$120k
  - This year deficit budget proposed at about -\$100k (once +\$50k added back in from encumbered Reserve for items in Capital Outlay [#66105])
- Difficult to have a true balanced budget until the Pension and OPEB liabilities are funded:
  - Funding liability will lessen UAL pension payment to CalPERS [#60150]
  - Funding liability should lessen OPEB debt [#60184]
  - Addition of new line item to address any annual contribution

Slide 10

## FY 2023-24 Proposed Budget Suggested Plan

- Final Proposed Budget reflects the 7.3% CPI (annual average percentage change from the previous year)
- Approve budget with deficit:
  - Rely upon using Reserve (if necessary) for remaining deficit
  - Finalize funding liabilities for Pension and OPEB to cap/reduce UAL
  - Increase X-Factor fee as necessary:
    - District fees have been insufficient (fees have not been capturing Pension & OPEB liabilities for 10+ years)
    - Last increase (beyond CPI) was 7 years ago in FY 16 - 17 (was a small % each year for only a few years)
    - Note: Generally an increase of 3% to X-Factor equates to about \$25k in revenue increase; a 10% increase to X-Factor equates to about \$85k in revenue increase

Slide 11

## Approval of FY 2023-24 Budget Is by Roll Call vote

Discussion/Questions?

Slide 12

# Agenda Item: 4.2

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**TO:** North Coast Unified Air Quality Management District Board

**FROM:** Brian Wilson, APCO

**SUBJECT:** District Activity & Air Quality Monitoring Report

**DATE:** July 20, 2023

**ACTION REQUESTED:** By Consent, Accept and File District Activity Reports

**SUMMARY:**

Attached is a summary of the major District activities logged during the reporting period and a air quality monitoring report for the most recent period.

## 2023 Activity Report

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD Totals	2022 Totals
<b>Complaint Responses - General</b>	1	1	1	4	4	0							11	37
<b>Complaint Responses - Open Burning</b>	18	9	8	14	17	15							81	195
<b>Permissive Burn Days</b>	31	28	31	30	31	30							181	346
<b>Non-Permissive Burn Days ("No Burn Day")</b>	0	0	0	0	0	0							0	19
<b>Permissive Burn Days (%)</b>	100%	100%	100%	100%	100%	100%								
<b>Standard (Residential) Burn Permits Issued</b>	637	359	167	291	259	100							1,813	2,631
<b>Non-Standard Burn Permits Issued</b>	575	264	179	241	190	67							1,516	2,634
<b>"No Burn Day" Permits Issued</b>	0	0	0	0	0	0							0	0
<b>Smoke Management Plans (SMP) Reviewed</b>	4	9	9	4	3	2							31	111
<b>SMP Burn Authorizations Issued</b>	113	262	24	112	87	49							647	1,114
<b>Acres Authorized</b>	1,162	3,183	91	792	96	228							5,552	13,297
<b>Stationary Source Permits Issued (new)</b>	0	1	5	5	3	14							28	67
<b>Stationary Source Permits Issued (amended)</b>	0	0	0	0	0	0							0	13
<b>Stationary Source Permit Apps. Received</b>	4	5	3	4	2	6							24	62
<b>Stationary Source De minimus Determination</b>	0	0	1	0	1	2							4	6
<b>Inspections - Major Sources</b>	0	2	17	7	6	3							35	15
<b>Inspections - Minor Sources</b>	29	23	35	16	36	38							177	495
<b>Inspections - Mobile Sources</b>	0	0	1	9	2	0							12	1
<b>Inspections - Asbestos</b>	0	1	0	3	1	1							6	2
<b>Asbestos Notifications Processed</b>	11	10	13	5	9	11							59	73
<b>Notice(s) of Violation (NOVs) Issued</b>	11	13	19	5	22	11							81	122
<b>Environmental Documents Reviewed</b>	2	3	3	4	5	3							20	34
<b>Grants Paid: Woodstove</b>	0	0	0	0	0	0							0	2
<b>Grants Paid: Moyer</b>	0	0	0	1	0	0							1	2
<b>Grants Paid: FARMER</b>	0	0	0	0	0	0							0	0
<b>Grants Paid: Rural School Bus</b>	1	2	0	1	0	2							6	21

# NCUAQMD Air Quality Monitoring Report

## July 2023

The following information summarizes ambient air quality data with respect to applicable State and Federal Ambient Air Quality Standards (AAQS) for the period of February-March 2023.

### Air Monitoring Data Summary

#### PM<sub>10</sub> AAQS:

- 1) State PM<sub>10</sub> 24-hour AAQS -
  - No exceedances were recorded during this period.
- 2) Federal PM<sub>10</sub> 24-hour AAQS -
  - No exceedances were recorded during this period.

#### PM<sub>2.5</sub> AAQS:

- 1) State PM<sub>2.5</sub> 24-hour AAQS -
  - No exceedances were recorded during this period.
- 2) Federal PM<sub>2.5</sub> 24-hour AAQS -
  - No exceedances were recorded during this period.

#### Gaseous Pollutant AAQS:

- a) Ozone (O<sub>3</sub>) -
  - There were no State or Federal AAQS exceedances recorded during this period.
- b) Nitrogen Dioxide (NO<sub>2</sub>) -
  - There were no State or Federal AAQS exceedances recorded during the period.
- c) Carbon Monoxide (CO) -
  - There were no State or Federal AAQS exceedances recorded during the period.
- d) Sulfur Dioxide (SO<sub>2</sub>) -
  - There were no State or Federal AAQS exceedances recorded during the period.

#### Particulate Matter (PM) Levels in Relation to State Ambient Air Quality Standards (AAQS):

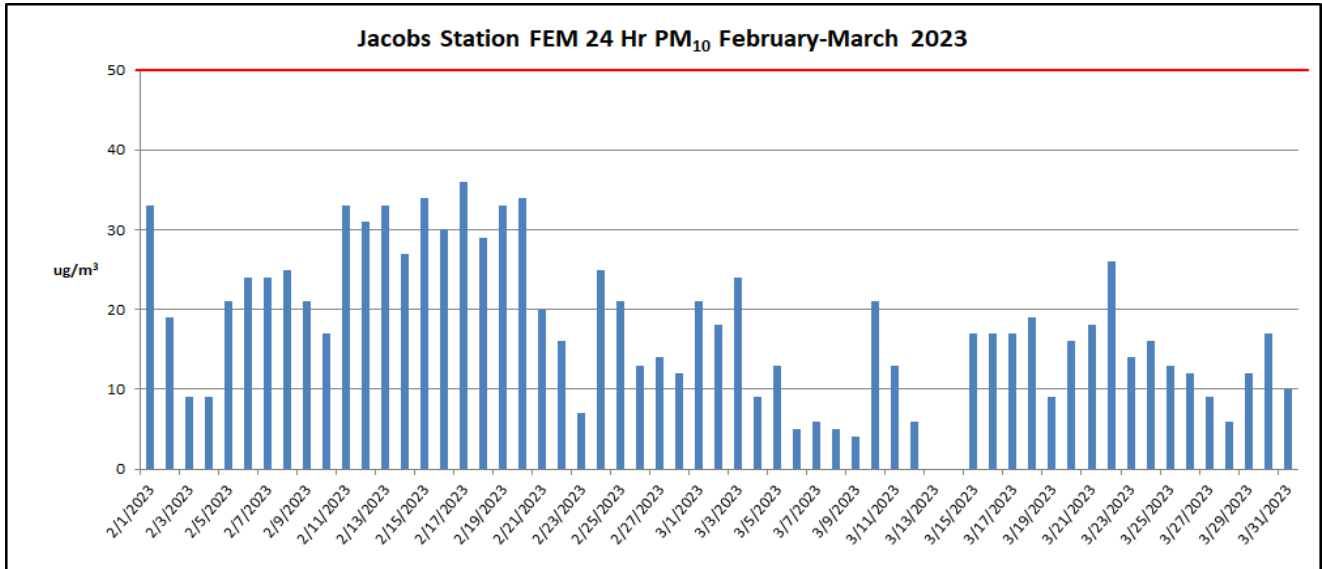
(Excluding data which is undergoing Exceptional Event Exclusion Determination)

Period of February-March 2023	Air Monitoring Station		
	Jacobs	Crescent City	Weaverville
PM <sub>10</sub> 24-hour Average Max	72%	N/A	N/A
PM <sub>10</sub> Rolling Arithmetic Mean	82%	N/A	N/A
PM <sub>2.5</sub> 24-hour Average (FRM) Max	42%	N/A	N/A
PM <sub>2.5</sub> Rolling Arithmetic Mean (FRM)	54%	N/A	N/A
PM <sub>2.5</sub> 24-hour Average (Non-FEM) Max	N/A	37%*	54%*
PM <sub>2.5</sub> Rolling Arithmetic Mean (non-FEM)	N/A	47%*	53%*

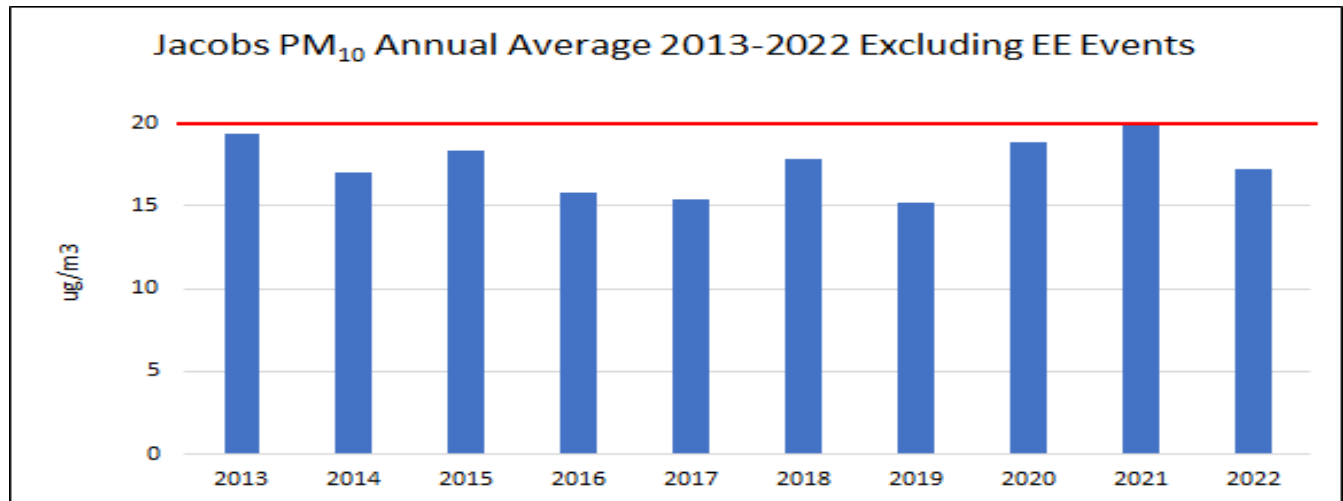
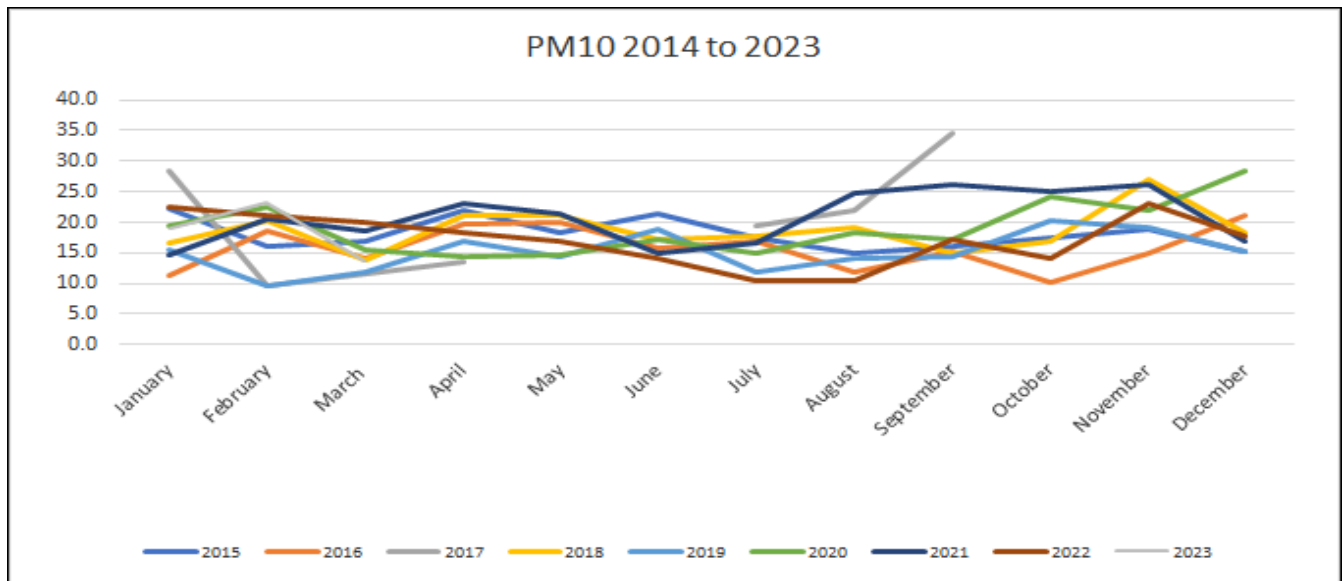
\* Instrument not used for Federal Attainment Designation

PM<sub>10</sub> Data and Trends:

**Eureka, Humboldt County**



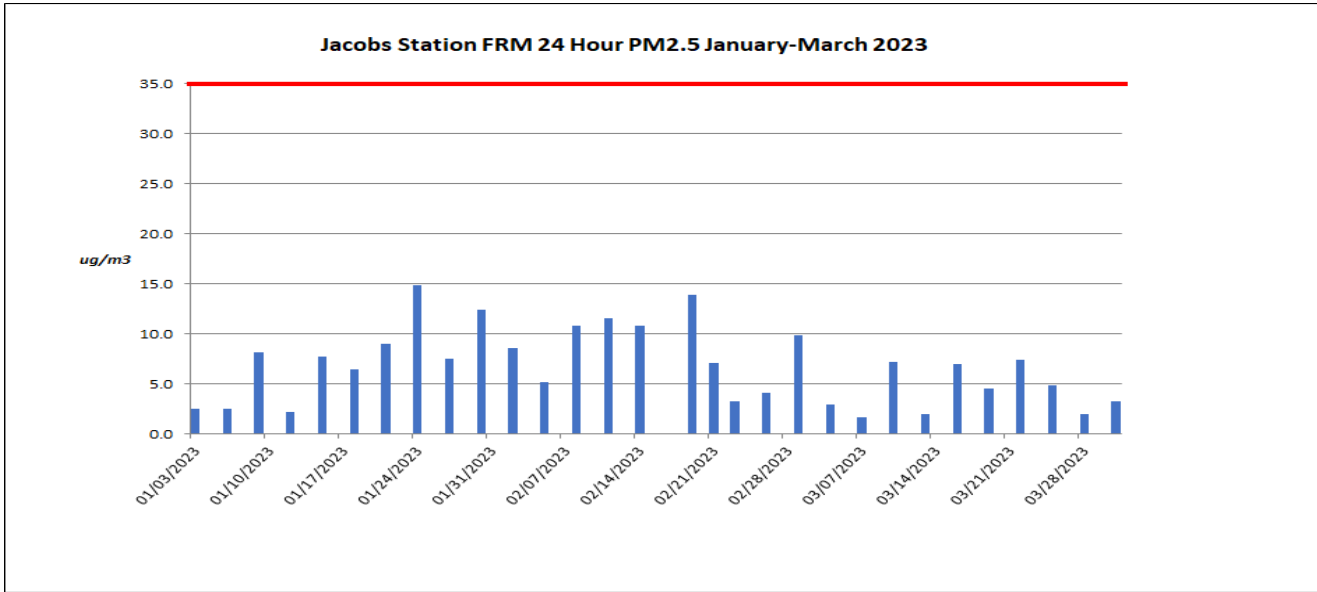
- State PM<sub>10</sub> 24-Hour AAQS is 50 ug/m<sup>3</sup>; Federal PM<sub>10</sub> 24-Hour AAQS is 150 ug/m<sup>3</sup>.
- State PM<sub>10</sub> Annual Arithmetic Mean AAQS is 20 ug/m<sup>3</sup>; There is no separate Federal PM<sub>10</sub> annual standard.
- Humboldt County is classified as non-attainment for the State PM<sub>10</sub> AAQS



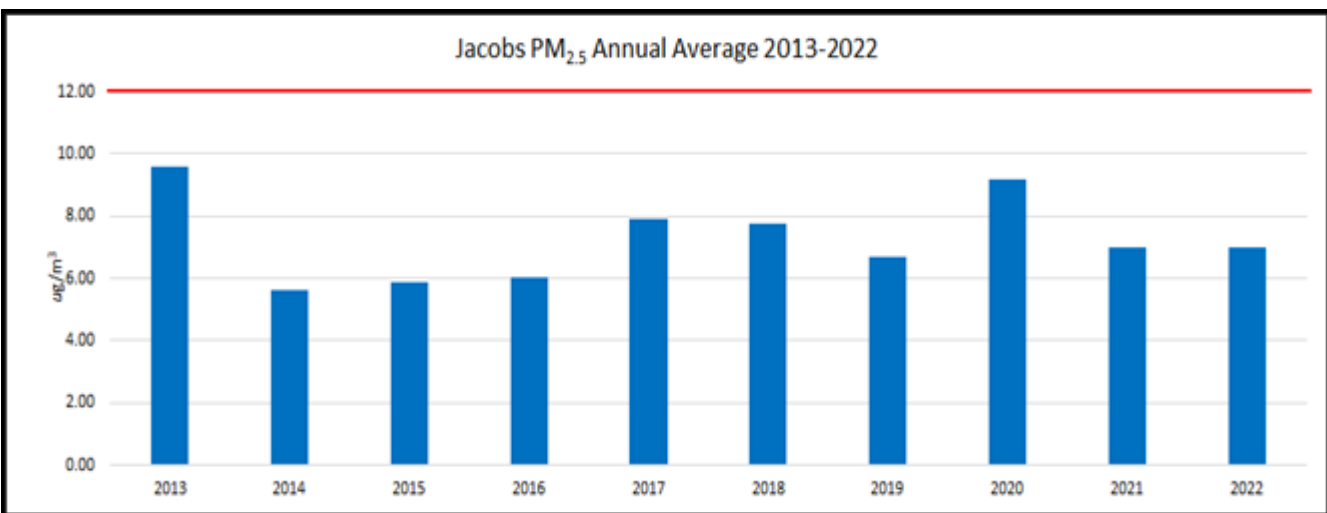
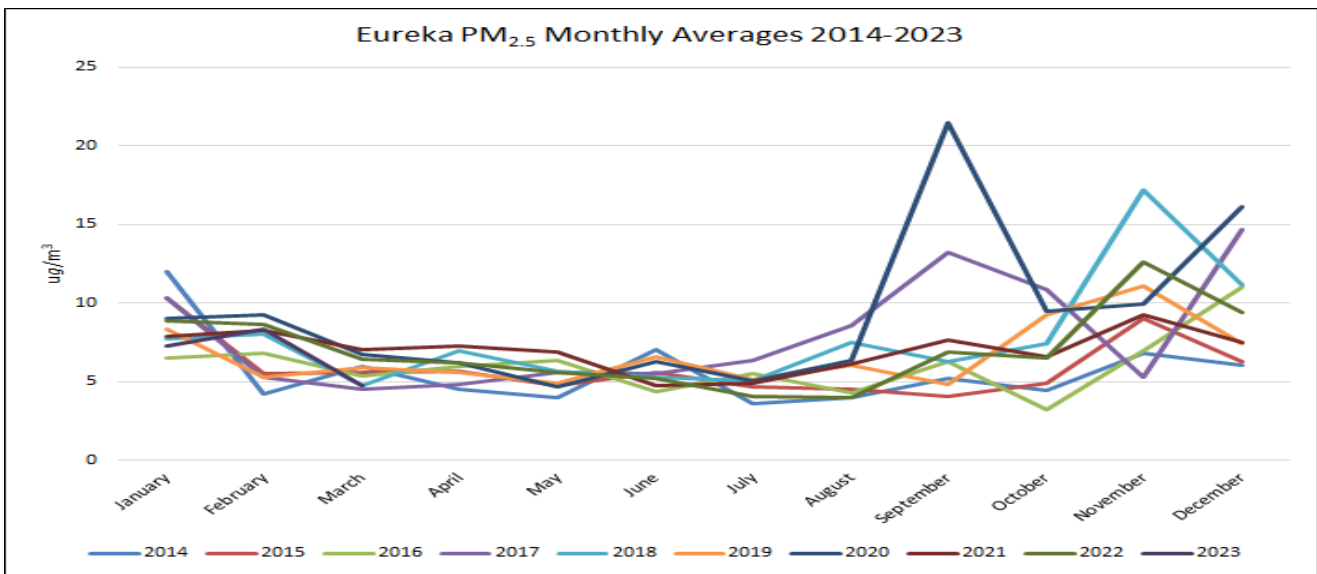
- State PM<sub>10</sub> Annual Arithmetic Mean AAQS is 20 ug/m<sup>3</sup>; There is no separate Federal PM<sub>10</sub> annual standard.

PM2.5 Data and Trends:

**Eureka, Humboldt County**

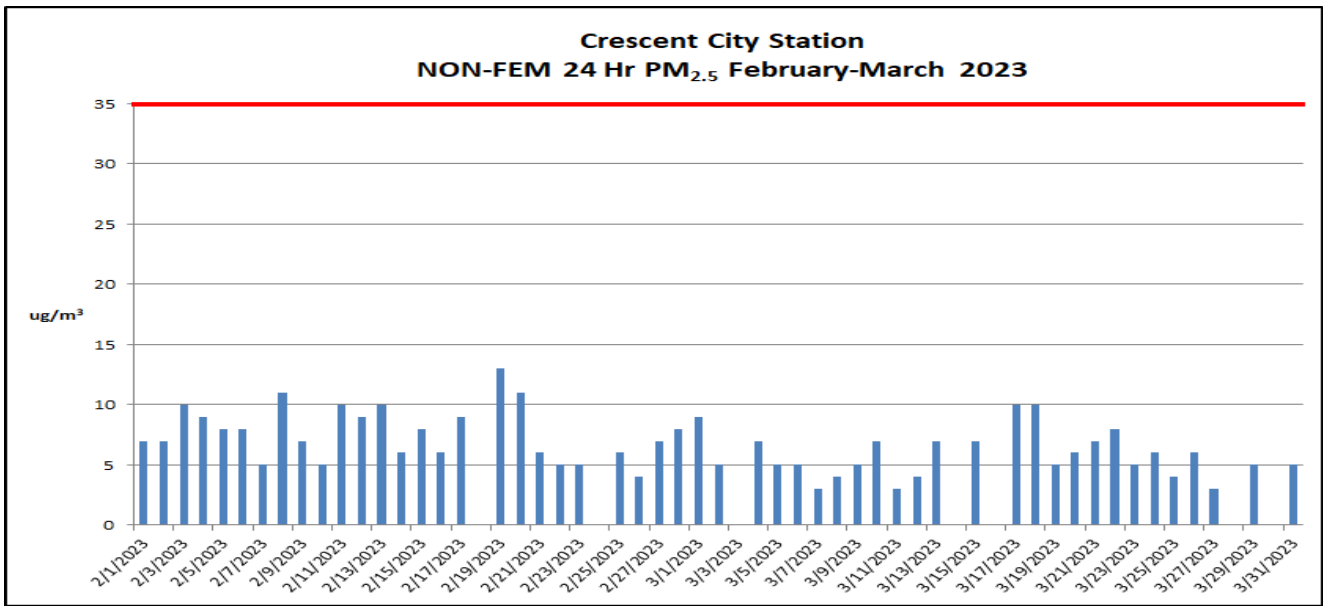


- Federal PM<sub>2.5</sub> 24-Hour AAQS is 35 ug/m<sup>3</sup>; There is no separate State PM<sub>2.5</sub> 24-Hour standard

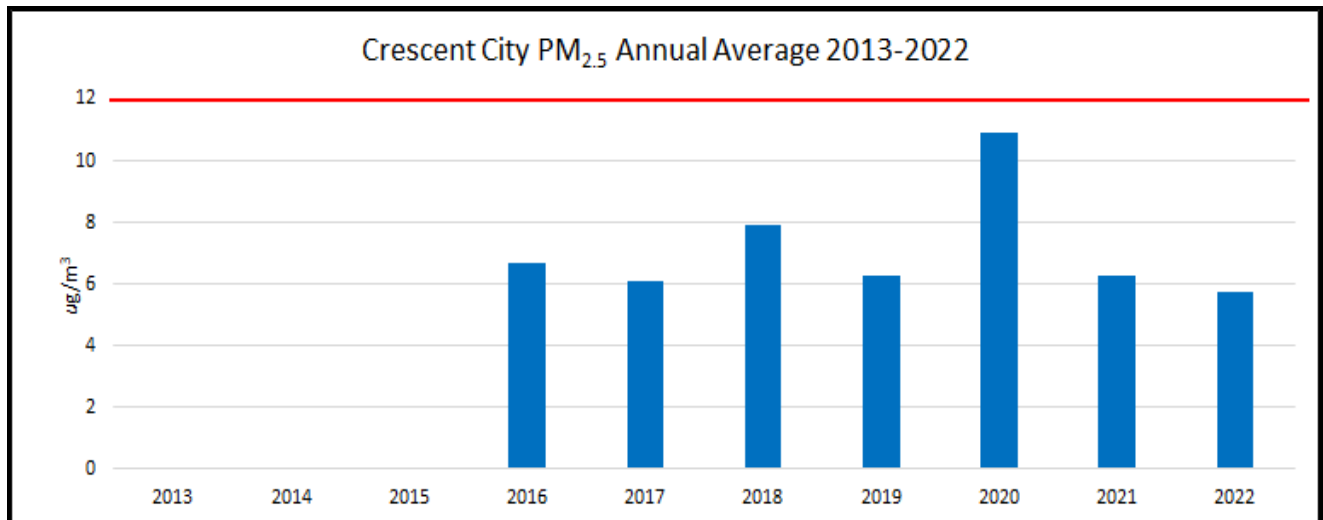
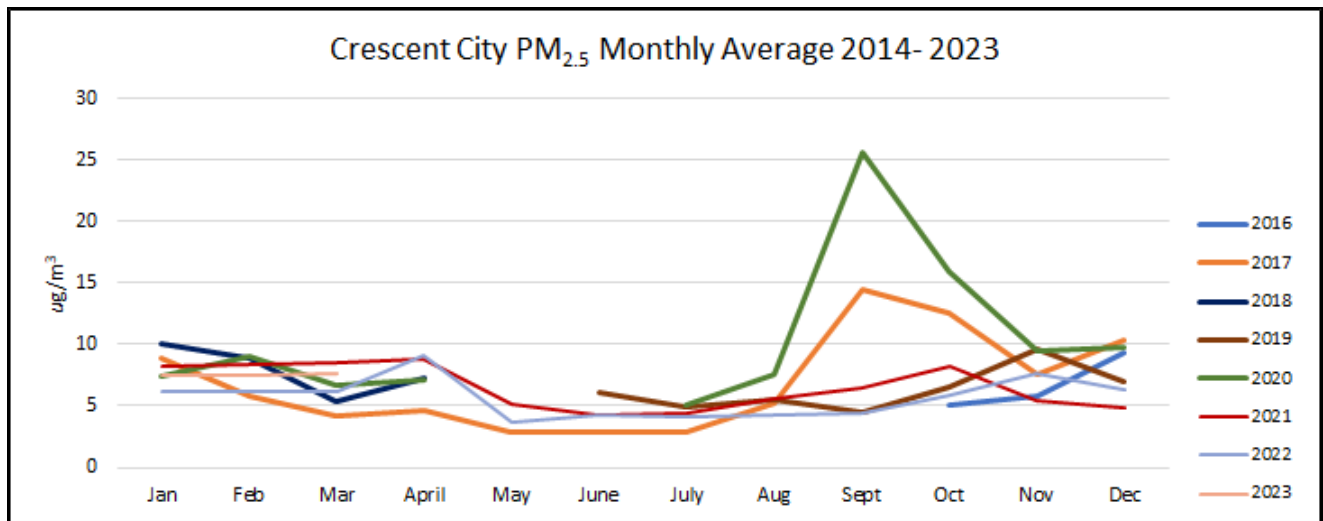


- State PM<sub>2.5</sub> Annual Arithmetic Mean AAQS is 12 ug/m<sup>3</sup>; There is no separate Federal PM<sub>2.5</sub> annual standard

### Crescent City, Del Norte County



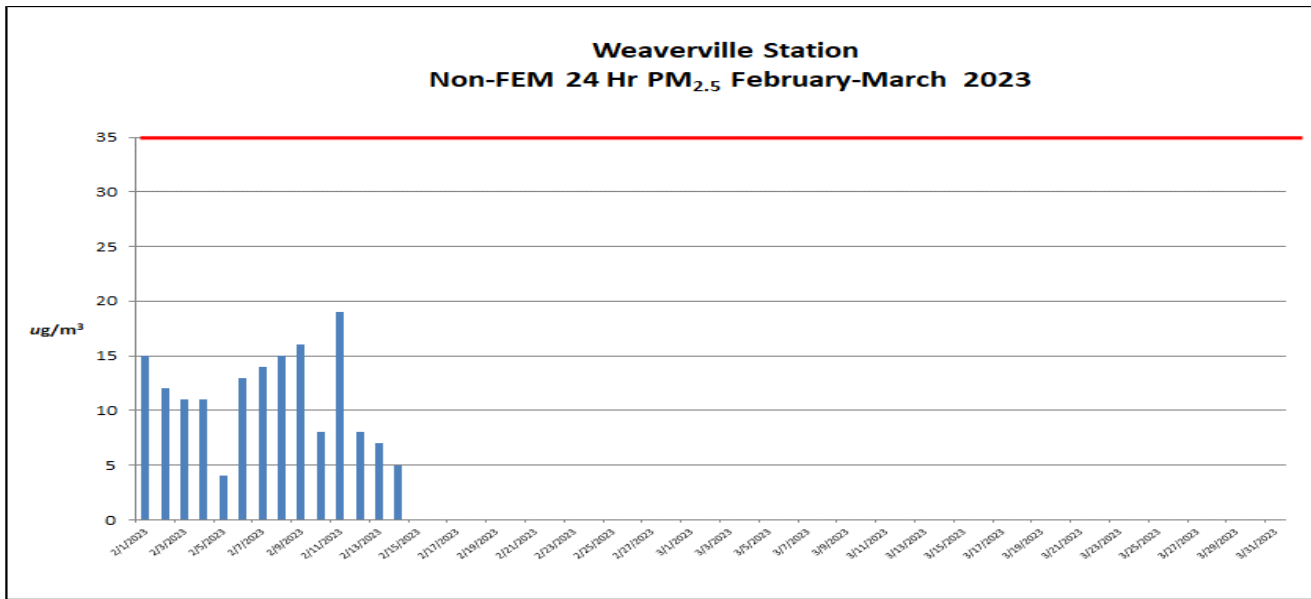
- Federal PM<sub>2.5</sub> 24-Hour AAQS is 35 ug/m<sup>3</sup>; There is no separate State PM<sub>2.5</sub> 24-Hour standard
- This monitor is not used for attainment decisions



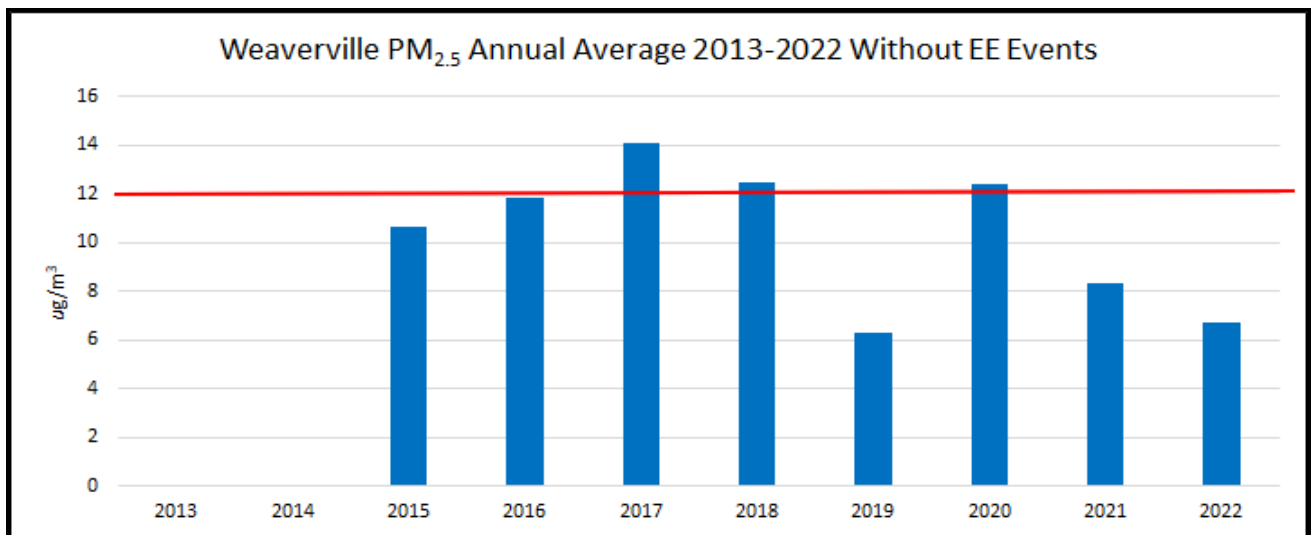
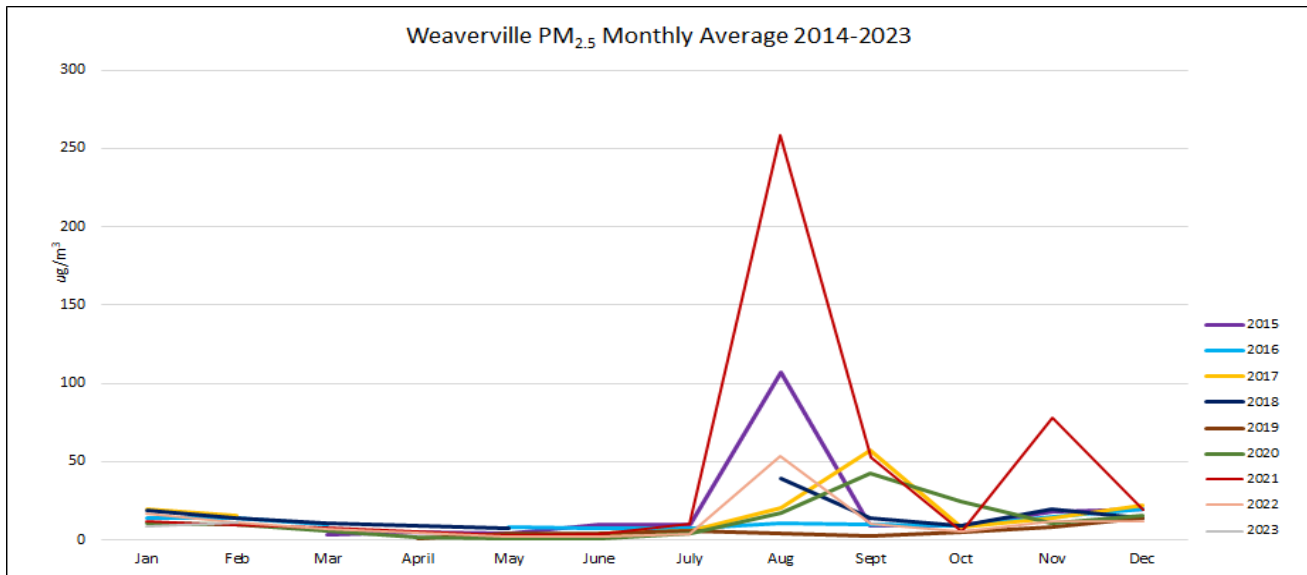
- State PM<sub>2.5</sub> Annual Arithmetic Mean AAQS is 12 ug/m<sup>3</sup>; There is no separate Federal PM<sub>2.5</sub> annual standard.
-



## Weaverville, Trinity County



- Federal PM<sub>2.5</sub> 24-Hour AAQS is 35 ug/m<sup>3</sup>; There is no separate State PM<sub>2.5</sub> 24-Hour standard
- This monitor is not used for attainment decisions



- State PM<sub>2.5</sub> Annual Arithmetic Mean AAQS is 12 ug/m<sup>3</sup>; There is no separate Federal PM<sub>2.5</sub> annual standard

# Agenda Item: 4.3

# Memorandum

**To:** Honorable Chair and Members of the North Coast Unified Air Quality Management District Governing Board

**From:** Nancy Diamond, District Counsel

**Date:** July 14, 2023

**Re:** APCO Brian Wilson, Employment Agreement

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**ACTION REQUESTED:**

Approve Amendment No. 4 to Employment Agreement with Brian Wilson for Air Pollution Control Officer.

**DISCUSSION:**

The Board appointed Brian Wilson as the North Coast Unified Air Quality Management District (NCUAQMD) Interim Air Pollution Control Officer (APCO) on December 5, 2014, and as permanent APCO on April 10, 2015. Previously, Mr. Wilson was employed as the NCUAQMD's Deputy APCO beginning March 8, 2010, and as a Permit Engineer on March 12, 2006. Mr. Wilson's employment contract expired on April 10, 2023.

The Board has completed its annual review of Mr. Wilson and concluded that Mr. Wilson has efficiently, effectively, and with great dedication served the NCUAQMD as its APCO. As a result, the Board seeks to extend Mr. Wilson's appointment as APCO for three years and provide a 3% merit salary increase. Mr. Wilson's current base salary is \$151,853.24 per year. The 3% merit salary increase will bring his annual base salary to \$156,408.84. Approval of Amendment No. 4 to the Employment Agreement would accomplish these goals.

**FISCAL IMPACT:**

There are sufficient funds in the FY 2023-2024 budget to cover the APCO's salary increase.



**AMENDMENT No. 4  
TO  
EMPLOYMENT AGREEMENT FOR  
NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT  
EXECUTIVE DIRECTOR/AIR POLLUTION CONTROL OFFICER**

This is an amendment (“Amendment”) to that certain Agreement by and between the North Coast Unified Air Quality Management District, hereinafter referred to as “Employer,” and Brian M. Wilson, hereinafter referred to as “Employee,” entitled *Employment Agreement for North Coast Unified Air Quality Management District Executive Director/Air Pollution Control Officer*, dated May 14, 2015, and amended March 8, 2018, April 16, 2020, and September 16, 2021 (collectively, “Agreement”). This Amendment is effective on April 10, 2023.

**WHEREAS**, Employee has acted in the capacity of Executive Director and Air Pollution Control Officer (APCO) since April 10, 2015 pursuant to an employment agreement ending on April 10, 2023; and

**WHEREAS**, the NCUAQMD Board has completed a personnel evaluation and desires to extend its appointment of Employee as the NCUAQMD’s Executive Director and APCO, and to the grant Employee a merit salary increase as set forth herein.

1. **Section I, Employment.** Section I, *Employment*, Subsection B, *Term of Agreement*, is hereby amended by extending the Expiration Date of the Agreement from April 10, 2023 to April 10, 2026.
2. **Section III, Compensation of Employee.** Section III, *Compensation of Employee*, Subsection A, *Salary*, is hereby amended by providing a merit salary increase of 3% effective at the beginning of the first pay period occurring on or after April 20, 2023.
3. **Ratification of Agreement.** The terms and conditions of the Agreement, including all exhibits and attachments, are ratified in their entirety except to the extent inconsistent with the terms and provisions of this Amendment. In the event of such inconsistency, this Amendment shall control.

**IN WITNESS WHEREOF**, the parties have executed this Amendment No. 4 effective as stated above.

EMPLOYEE:

\_\_\_\_\_  
Brian M. Wilson

Date: \_\_\_\_\_

NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT:

By \_\_\_\_\_ Date: \_\_\_\_\_  
Chris Howard, Chair

Attested to by:

\_\_\_\_\_  
Erin Squire, Clerk of the Board

Date: \_\_\_\_\_

# Agenda Item: 5

## Public Comment Period

# Agenda Item: 6

**North Coast Unified  
Air Quality Management District**  
707 L Street, Eureka, CA 95501  
(707) 443-3093  
[www.ncuagmd.org](http://www.ncuagmd.org)



**TO:** North Coast Unified Air Quality Management District Board

**FROM:** Brian Wilson, APCO

**SUBJECT:** Adoption of Post-Employment Benefits Trust

**DATE:** July 20, 2023

**ACTION REQUESTED:** Adopt Resolution 2023-4 Authorizing Participation in the PARS Post-Employment Benefits Trust Program by Public Agency Retirement Services (PARS) and U.S. Bank, Appointing the District's Air Pollution Control Officer (APCO) as the District's Plan Administrator, and Authorizing the APCO to Execute the Documents to Implement the Program

**SUMMARY:**

The District continues to move forward with determining and managing its pension liability and Other Post Employment (OPEB) liabilities as mentioned at the last financial audit. The District has engaged the services of GovInvest Inc. for actuarial services and to calculate these liabilities. GovInvest provides services to governments with analytical tools to better determine how to best manage these liabilities and what are the best approaches for the entity. At the recent Governing Board meetings in March and April of this year, a representative from GovInvest provided presentations on Pension and OPEB liabilities. The Governing Board subsequently approved both Pension and OPEB Liability Funding Policies for the District (attached).

At the Governing Board meeting in April, the Board expressed desire to pursue information on participating in the Post-Employment Benefits Trust Program through Public Agency Retirement Services (PARS). A representative from PARS is scheduled to provide a presentation on the Section 115 Trust for OPEB Prefunding Program and Pension Rate Stabilization Program (PRSP).

After the presentation, Staff will be asking the Governing Board to adopt a resolution authorizing the establishment of the PARS Post-Employment Trust Program which could be used to pre-fund the pension and retiree health care obligations.



## **BACKGROUND:**

In 2012, the Government Accounting Standards Board (GASB) issued Statement No. 68, Accounting and Financial Reporting for Pensions. GASB 68 requires that governmental employers that sponsor Defined Benefit plans (i.e., CalPERS) must recognize a Net Pension Liability on their balance sheet, which is the difference between the District's total pension liability (actuarial accrued liability) and actual plan assets. GASB 68 (which replaces the requirements of GASB 27) became effective for fiscal years starting after June 15, 2014.

In 2015, the Government Accounting Standards Board (GASB) issued Statement No.75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions. GASB 75 requires the District to report costs and obligations for postemployment healthcare and other post-employment benefits (called "OPEBs") much like the current accounting requirement to report pension obligations. Similar to GASB 68, the District must also report its net OPEB liability (difference between the total OPEB liability and assets accumulated in an irrevocable trust) on its Financial Statements. GASB 75 (which replaced the requirements of GASB 45) become effective for fiscal years beginning after June 2017.

The District's OPEB liability stems from providing full medical benefits to retirees from the date of retirement from the District until they are eligible for Medicare, at which time the District's insurance is no longer the primary insurance. After this, the District continues to pay the premium as secondary insurance. As of June 2022, the net OPEB Liability was about \$3.3 million and the most recent GASB 68 calculation of net pension liability with CalPERS was about \$916,768.

In an effort to help public agencies address and manage their GASB 68 and 75 liabilities, PARS has sought and received approval from the IRS in the form of a Private Letter Ruling on its newly developed Post-Employment Benefits Trust Program. PARS has assembled leading professionals to provide the District with the necessary services required under one program to pre-fund both pension and retiree health care liabilities. This would provide the District with an alternative to CalPERS that will allow for greater local control over assets, investment by a professional fund management team selected and monitored by the District, with contributions and distributions from the trust determined at the discretion of the District.

The program has been established as a multiple employer trust so that public agencies regardless of size can join the program to receive the necessary economies of scale to keep administrative fees low and avoid any setup costs. To properly offset liabilities, funds must be set aside in an exclusive benefit, irrevocable trust that cannot be accessed by creditors in order to be accounted for as assets to reduce the liabilities on the District's financial statements. The trust permits the District, under federal and state law, to invest in a more diversified array of investments to maximize investment returns long term and reduce the District's liabilities.

To date, more than 500 public agencies have adopted the Section 115 Trust through PARS including Humboldt County, Trinity County, and Humboldt Bay Municipal Water District to reduce their OPEB or Pension liabilities. Expected benefits offered by the PARS Post-Employment Benefits Trust Program to the District include:

- Contributions placed in an exclusive benefit trust can offset unfunded liabilities, which will lower the District's Net OPEB Liability and address the Net Pension Liability.
- Investment flexibility with Section 115 Trust compared to restrictions on general fund investments.
- Increased risk diversification of plan assets through professional asset management.
- Investments can be tailored to the District's unique demographics.
- Oversight and control of fund management selection, monitoring of performance and ability to replace fund management based on performance criteria.
- Increased flexibility on use of trust assets (i.e., trust assets can be accessed at anytime as long as the assets are used to fund the District's pension and OPEB obligations and defray reasonable expenses associated therewith).
- Lower investment management and administrative expenses compared to CalPERS Pension Program.
- Potential for positive rating agency and investor consideration.

PARS has partnered with US Bank to serve as trustee and its subadviser High Mark Capital Management, Inc., to provide investment management services for the program.

In summary, it is therefore recommended that the Board adopt Resolution 2023-4, authorizing participation in the PARS Post-Employment Benefits Trust Program by PARS and U.S. Bank, appointing the District's APCO as the District's Plan Administrator, and authorizing the APCO to execute the documents to implement the Program, subject to the review and approval of the District's legal counsel.

**North Coast Unified  
Air Quality Management District**  
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**Resolution 2023-4:  
Adoption of the Public Agencies Post-Employment Trust  
Administered by the Public Agency Retirement Services (PARS)**

**WHEREAS**, Public Agency Retirement Services (PARS) has made available the PARS Public Agencies Post-Employment Benefits Trust (the "Program") for the purpose of pre-funding pension obligations and/or OPEB obligations; and

**WHEREAS**, the North Coast Unified Air Quality Management District (District) is eligible to participate in the Program, a tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Internal Revenue Code, as amended, and the Regulations issued there under, and is a tax-exempt trust under the relevant statutory provisions of the State of California; and

**WHEREAS**, the District's adoption and operation of the Program has no effect on any current or former employee's entitlement to post-employment benefits; and

**WHEREAS**, the terms and conditions of post-employment benefit entitlement, if any, are governed by contracts separate from and independent of the Program; and

**WHEREAS**, the District's funding of the Program does not, and is not intended to, create any new vested right to any benefit nor strengthen any existing vested right; and

**WHEREAS**, the District reserves the right to make contributions, if any, to the Program.

**THEREFORE, BE IT RESOLVED**, by the North Coast Unified Air Quality Management District Governing Board (Board) as follows:

1. The Board adopts the PARS Public Agencies Post-Employment Benefits Trust, to be effective immediately upon passage; and
2. The Board appoints the District's Air Pollution Control Officer (APCO), or his/her successor or his/her designee as the District's Plan Administrator for the Program; and
3. The Board authorizes the District's Plan Administrator to execute the PARS legal and administrative documents on behalf of the District and to take whatever additional actions are necessary to maintain the District's participation in the Program and to maintain compliance of any relevant regulation issued or as may be issued; therefore, authorizing him/her to take whatever additional actions are required to administer the District's Program.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date:



## **OTHER POST-EMPLOYMENT BENEFIT (OPEB) FUNDING POLICY** (Approved: 4-20-2023)

### **Overview**

The North Coast Unified Air Quality Management District (“District”) has developed an Other Post-Employment Benefit (OPEB) Funding Policy to guide the Governing Board of Directors (“Board”) and Staff in making decisions related to the funding of OPEB benefits. This document outlines that policy.

### **1) Purpose Section**

The District’s OPEB Funding Policy documents the method the District will use to determine its annual OPEB contributions. The annual OPEB contributions fund the long-term cost of benefits to the plan participants and annuitants. The policy also:

- Provides guidance in making annual budget decisions;
- Demonstrates prudent financial management practices;
- Reassures bond rating agencies; and
- Shows employees and the public how OPEB plans will be funded

Nothing in this funding policy shall constitute an obligation upon the District, nor act as an implied contract. The District’s Board may revoke or amend this policy in the best interests of the District.

### **2) Background Section**

The District provides Retiree Health Benefits to former employees who retire directly from the District through the CalPERS Health Program. These benefits allow retirees to elect medical coverage and have a portion of their premium paid by the District.

The OPEB plan consists of both an Explicit and an Implicit benefit. The Explicit Benefit consists of the portion of the premium paid by the District for the retirees and their beneficiaries. The Implicit Benefit is the higher premium rate paid by the District for its current active employees due to the CalPERS Health Program charging the same premium rate for active employees as it does for retirees, as required under the Public Employees’ Medical & Hospital Care Act (PEMHCA).

The financial objective of funding an OPEB plan is to fund the long-term cost of benefits provided to the plan members. In order to ensure that the plan is financially sustainable, the plan should accumulate adequate resources in a systematic and disciplined manner over the active service life of benefiting employees. This funding policy outlines the method the District will utilize to determine its contribution to fund the long-term cost of benefits to the plan members and annuitants.

### **3) Policy Section**

#### **A. Goals of Funding Policy**

- 1) The District's goal is to reach 95% funding of its Actuarial Liability by 2023.
  - a. To begin the funding of the Section 115 Trust, the District will make a one-time contribution of \$2.2 Million from funds available in the District's Reserve Fund into a Section 115 OPEB Trust by June 30, 2023.
- 2) Once the goal in Section 3A1 is reached, the District's goal will be to maintain a funded percentage between 90% and 100% of its Actuarial Liability in all future years.
- 3) The District will continue to pay the current year's benefit obligation from the General Fund until the plan reaches its funding goal. If the Board determines that General Fund Revenues for the year are not sufficient to make such payments, the Board may elect to pay some or all of such payments for that year from the Section 115 Trust.
- 4) Once the District reaches its initial funding goal in Section 3A1 above, each year's benefit obligations will be paid from funds in the Section 115 Trust.
- 5) The District intends to make additional contributions to a Section 115 Trust, as specified in Section 3B.
- 6) The District desires that funds deposited into the Section 115 Trust to reduce OPEB liability may generate interest at a higher rate and these funds could be applied to reduce OPEB Liability within the Trust.

#### **B. OPEB Funding**

The District will fund its OPEB obligations as follows:

- 1) Section 115 Trust Contribution Options:
  - a. The District intends to make regular additional contributions to the Section 115 Trust each year equal to the Actuarially Determined Contribution calculated by an Actuary selected by the District.

- b. The Actuarially Determined Contribution shall consist of a Normal Cost payment for current service and a payment to amortize any Unfunded Actuarial Liability (either positive or negative) over a period of no more than 20 years.
- c. Upon annual review of the Reserve Fund, Staff will make recommendations to the Board for any additional funds available beyond those earmarked in the Reserve Fund. Upon Board approval, these additional funds will then be provided to the Section 115 Trust.
- d. During periods of financial hardship, the Board may suspend payment of all or a portion of that year's Actuarially Determined Contribution. As part of the budget adoption review cycle, Staff will make recommendations to the Board on the contribution to the Section 115 Trust such that valuation of the annual contribution shall sufficient so as to achieve the funding targets listed in Section 3A2.

2) Section 115 Trust Usage Options:

- a) Prior to attaining the funding goal described in Section 3A, the District may use accumulated Section 115 Trust funds to make some or all of the District's Benefit payments when the Board determines that General Fund Revenues for the year are not sufficient to make those required payments.
- b) After reaching the funding goal described in Section 3A1, the District will pay the City's Benefit payments from the Section 115 Trust, unless otherwise specified by the Board.

C. Transparency and Reporting

Funding of the District's OPEB plans should be transparent to vested parties including plan members, annuitants, the Board and citizens within the jurisdiction (or other stakeholders). To achieve this transparency, the following information shall be available:

- 1) Copies of the most recent actuarial valuation report for the District's OPEB plan(s) shall be made available to the Board.
- 2) The District's Annual Comprehensive Financial Report shall be published on its website. This report includes information on the District's annual contributions to the OPEB plan(s) and their funded status.
- 3) The District's OPEB Funding Policy shall be published on its website.

#### D. Review of OPEB Funding Policy

Funding an OPEB plan requires a long-term horizon. As such, the Board will review this policy no less frequently than once every five (5) years to determine if changes to this policy are needed to ensure adequate resources are being accumulated.



## **PENSION FUNDING POLICY**

(Approved: 4-20-23)

### **Overview**

The North Coast Unified Air Quality Management District (“District”) has developed a Pension Funding Policy to guide the Governing Board of Directors (“Board”) and Staff in making decisions related to the funding of pension benefits. This document outlines that policy.

### **1. Purpose Section**

The District’s Pension Funding Policy documents the method the District will use to determine its annual pension contributions. The annual pension contributions fund the long-term cost of benefits to the plan participants and annuitants. The policy also:

- Provides guidance in making annual budget decisions;
- Demonstrates prudent financial management practices;
- Reassures bond rating agencies; and
- Shows employees and the public how pensions will be funded

Nothing in this funding policy shall constitute an obligation upon the District, nor act as an implied contract. The District’s Board may revoke or amend this policy whenever it determines the changes to be in the best interest of the District.

### **2. Background Section**

The District provides defined retirement benefits through the California Public Employees’ Retirement System (CalPERS). CalPERS is a multiple-employer public employee defined benefit pension plan.

All full-time and certain part-time District employees are eligible to participate in CalPERS. CalPERS provides retirement, disability and death benefits and annual cost of living adjustments to plan members and their beneficiaries. CalPERS acts as a common investment and administrative agent for participating public entities with the State of California. Benefit provisions and all other requirements are established by state statute.

The financial objective of a defined benefit pension plan is to fund the long-term cost of benefits provided to the plan members. In order to assure that the plan is financially



sustainable, the plan should accumulate adequate resources in a systematic and disciplined manner over the active service life of benefitting employees. This funding policy outlines the method that the Board will utilize to determine its Actuarially Determined Contributions to fund the long-term cost of benefits to the plan members and annuitants.

*Pension Funding: A Guide for Elected Officials*, issued by eleven national groups including the U.S. Conference of Mayors, the International Agency/County Management Association, and the Government Finance Officers Association, established the following five general policy objectives for a pension funding policy:

- Actuarially Determined Contributions. A pension funding plan should be based upon an actuarially determined contribution (ADC) that incorporates both the cost of benefits in the current year and the amortization of the plan's unfunded actuarial accrued liability.
- Fund Discipline. A commitment to make timely, actuarially determined contributions to the retirement system is needed to ensure that sufficient assets are available for all current and future retirees.
- Intergenerational equity. Annual contributions should be reasonably related to the expected and actual cost of each year of service, so that the cost of employee benefits is paid by the generation of taxpayers who receive services from those employees.
- Contributions as a stable percentage of payroll. Contributions should be managed so that employer costs remain consistent as a percentage of payroll over time.
- Accountability and transparency. Clear reporting of pension funding should include an assessment of whether, how, and when the plan sponsor will ensure sufficient assets are available for all current and future retirees.

### **3. Policy Section**

#### A. Goals of Funding Policy

- 1) The District's goal is to reach 90% funding of the Actuarial Liability by 2032 and 95% percent funding of the Actuarial Liability by 2036.
- 2) The District's goal is to stabilize contribution rates, as a percent of payroll.
- 3) The District's goal is to fund liabilities using the discount rate adopted by the CalPERS Board for funding purposes.
- 4) Periodically, the Board intends to make additional annual contributions to improve the funding of the pension. These contributions may be directly to CalPERS, or to a Section 115 Trust, as specified in Section 3C.

## B. Actuarially Determined Contribution (ADC)

- 1) CalPERS actuaries will determine the District's minimum required contribution to CalPERS based on approved Actuarial Standards of Practice as reported in an annual actuarial valuation. The ADC will include the normal cost for current service and amortization of any under-funded amount. The normal cost will be calculated using the entry age normal cost method using economic and non-economic assumptions approved by CalPERS Board of Administration.
- 2) The District will review the CalPERS annual actuarial valuations to validate the completeness and accuracy of the member census data and the reasonableness of the actuarial assumptions.
- 3) The District will contribute an amount no less than the ADC as required by CalPERS.

## C. Section 115 Pension Trust Contribution

To address long-term pension costs and rising unfunded accrued liabilities, the District established a Section 115 Trust to pre-fund pension obligations. The objective of contributions to a 115 trust is to increase the plan's funded status by reducing the unfunded accrued liability, lowering annual pension contribution volatility, and reducing ongoing pension costs.

### Section 115 Trust Contribution Options:

- 1) The District intends to making additional contributions to the Section 115 Trust each year as possible through its Budgetary process. As part of the budget adoption review cycle, Staff will make recommendations to the Board on the contribution to the Section 115 Trust such that valuation of the annual contribution shall sufficient so as to achieve the funding targets listed in Section 3 (A)(3).
- 2) Upon annual review of the Reserve Fund, Staff will make recommendations to the Board for any additional funds available beyond those earmarked in the Reserve Fund. Upon Board approval, these additional funds will then be provided to the Section 115 Trust.
- 3) Funds deposited by the District into the Section 115 Trust to reduce Pension liability may generate interest at a higher rate than similar funds kept in a General Fund reserve, and these funds could be applied to reduce Pension Liability within the Trust.

### Section 115 Trust Usage Options:

- 1) The District may use accumulated Section 115 Trust funds to make some or all of the District's ADC contributions when the Board determines that General Fund Revenues for the year are not sufficient to make those required

contributions.

- 2) The District may use accumulated Section 115 Trust funds to help reach the District's funding goals stated in Section 3A1, or additional goals as determined by the Board.

#### D. Transparency and Reporting

Funding of the District's pension plans should be transparent to interested parties including plan members, annuitants, the Board and citizens within the jurisdiction (or other stakeholders). In order to achieve this transparency, the following information shall be available:

- 1) Copies of the annual actuarial valuations for the District's CalPERS plans shall be made available to the Board.
- 2) The District's Annual Comprehensive Financial Report shall be published on its website. This report includes information on the District's annual contributions to the pension systems and their funded status.
- 3) The District's annual operating budget shall include the District's contributions to CalPERS.
- 4) The District's Pension Funding Policy shall be published on its website.

#### E. Review of Pension Funding Policy

Funding a defined benefit pension plan requires a long-term horizon. As such, the Board will review this policy no less frequently than once every five (5) years to determine if changes to this policy are needed to ensure adequate resources are being accumulated.

# Agenda Item: 7

**North Coast Unified  
Air Quality Management District**  
707 L Street, Eureka, CA 95501  
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[www.ncuagmd.org](http://www.ncuagmd.org)



**TO:** North Coast Unified Air Quality Management District Board

**FROM:** Brian Wilson, APCO

**SUBJECT:** Reauthorization of Burn Barrel Exemptions

**DATE:** July 20, 2023

**ACTION REQUESTED:** Approve Resolution 2023-5 Requesting the California Air Resources Board (CARB) Designate Specific Areas Within the District as Exempt from the State's *Air Toxic Control Measure (ATCM) to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning* Prohibition Against the Use of Burn Barrels

**SUMMARY:**

In February of 2002, the California Air Resources Board (CARB) adopted the Air Toxic Control Measure (ATCM) to regulate emissions of air contaminants from residential open burning, (i.e. the California Code of Regulations, Title 17, Section 93113, ATCM to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning).

The ATCM consists of a general prohibition against the use of burn barrels and incinerators, and of the burning of paper and cardboard. The ATCM allows rural areas to be exempted from the prohibitions if the following criteria are met: 1) If the population density is less than 3 persons per square mile, the area is automatically exempt; 2) If the population density is greater than 3 but less than 10 persons per square mile, the area may be exempted if the chief fire official responsible for the area attests that burn barrels are necessary for public safety; and the Governing Board of the District approves their use. If an area is designated as non-exempt from burn barrel use, it cannot be designated as exempt at a later date even if the population density changes to a number fewer than 10 per square mile. Exemptions from the state ATCM must be reviewed by the Air Resources Board (ARB) every ten years

In 2003, the District successfully petitioned CARB for exemption of select areas within its jurisdiction. Then, in 2013, the District conducted an analysis of 2010 Census data of Humboldt, Del Norte, and Trinity Counties and subsequently determined that population density could be delineated by zip code. At that time a few areas (such as Shelter Cove) no longer met the criteria for exemption.

More recently in the Spring of 2023, CARB approached the District in the Spring of 2023 to discuss the process for exemption renewal in select zip code areas. CARB provided an analyses of 2020 Census data for Humboldt, Del Norte, and Trinity Counties. The District then began the process of preparing the request to CARB for continuing the burn barrel exemption in unincorporated areas that meet the criteria. Staff again surveyed the fire officials presiding over population density eligible areas to ascertain their position on the issue. The results are contained within the attached Staff Report in addition to a listing of the specific zip codes recommended for continued exemption.

The following is a summary of the resulting changes in designation from the previously granted exemptions:

Table 1 - Summary of Designation Changes

Defined Place		Fire Department	Basis for Change
<b>Del Norte Co.</b>			
Sub Zone 95567	Within Six Rivers NF Boundary and North of T-15N	Six Rivers National Forest	Planning area is not clearly defined.
Sub-zone 95531	Within Six Rivers NF Boundary and South of T-15N	Six Rivers National Forest	Planning area is not clearly defined
<b>Humboldt Co.</b>			
Sub Zone 95555	Areas outside of the Orick Community Services District	Orick FPD	Planning area is not clearly defined
<b>Trinity Co.</b>			
95527	Hawkins Bar	Hawkins Bar FD	Fire Department Did Not Endorse
96041	Hayfork	CalFIRE – Hayfork	Population Density Increased to 16.6

The following is a summary of the exempted areas where Burn Barrel use is authorized for an additional 10 years:

Table 2 - Proposed Designations, Del Norte County

Defined Place		Fire Department	Burn Barrel Use Allowed	Burning of Paper & Cardboard Allowed	Comments
95543	Gasquet	Gasquet VFD	Yes	Yes	District Regulation II – Open Burning applies to all open outdoor fires conducted within the District. The Regulation identifies “approved and
All Areas Not Listed Above			No	No	

			“prohibited” materials; outlines requirements for a smoke management program and a burn authorization system; and established permitting requirements.
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Table 3 – Proposed Designations, Humboldt County

Defined Place		Fire Department	Burn Barrel Use Allowed	Burning of Paper & Cardboard Allowed	Comments
95514	Blocksburg	Van Duzen VFD	Yes	Yes	District Regulation II – Open Burning applies to all open outdoor fires conducted within the District. The Regulation identifies “approved and “prohibited” materials; outlines requirements for a smoke management program and a burn authorization system; and established permitting requirements.
95526	Bridgeville	Bridgeville FPD	Yes	Yes	
95550	Korbel	Kneeland FPD	Yes	Yes	
95556	Orleans	Orleans VFD	Yes	Yes	
95558	Petrolia	Petrolia VFD	Yes	Yes	
All Areas Not Listed Above			No	No	

Table 4 – Proposed Designations, Trinity County

Defined Place		Fire Department	Burn Barrel Use Allowed	Burning of Paper & Cardboard Allowed	Comments
95552	Mad River & Ruth	Southern Trinity VFD	Yes	Yes	District Regulation II – Open Burning applies to all open outdoor fires conducted within the District. The Regulation identifies “approved and “prohibited” materials; outlines requirements for a smoke management program and a burn authorization system; and established permitting requirements.
95595	Zenia & Kettenpom	CalFire - Alderpoint	Yes	Yes	
96010	Big Bar	Downriver Fire Co.	Yes	Yes	
96024	Douglas City	Douglas City VFD	Yes	Yes	
96046	Hyampom	USFS – Lower Trinity	Yes	Yes	
96048	Junction City	Junction City VFD	Yes	Yes	
96076	Post Mountain	USFS – Yolla Bolla	Yes	Yes	
96091	Trinity Center	CalFIRE – Weaverville	Yes	Yes	
All Areas Not Listed Above			No	No	

In summary, based upon the ATCM and the findings in the attached Staff Report, Staff requests the Board approve Resolution 2023-5, requesting CARB designate the specific areas within the District as exempt from the State's *ATCM to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning* prohibition against the use of burn barrels.





## **Resolution 2023-5: Burn Barrel Exemptions**

**WHEREAS**, in February of 2002, the California Air Resources Board (CARB) adopted the Air Toxic Control Measure (ATCM) to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning to regulate emissions of air contaminants from residential open burning prohibiting the use of burn barrels and incinerators, and of the burning of paper and cardboard; and

**WHEREAS**, the ATCM allows rural areas to be exempted from the prohibitions if the following criteria are met: 1) If the population density is less than 3 persons per square mile, the area is automatically exempt; 2) If the population density is greater than 3 but less than 10 persons per square mile, the area may be exempted if the chief fire official responsible for the area attests that burn barrels are necessary for public safety; and the Governing Board of the North Coast Unified Air Quality Management District (District) approves their use; and

**WHEREAS**, exemptions granted by CARB are for a limited term not to exceed 10 years; and

**WHEREAS**, in 2003, the District successfully petitioned CARB for exemption of select areas within its jurisdiction that met the requirements, as the District conducted an review of Census data for population density and analyzed criteria applicability allowing exemption and subsequently identified exempt areas by zip code; and

**WHEREAS**, in 2013, the District again successfully petitioned CARB for exemption of select areas within its jurisdiction that met the requirements, as the District conducted a review of 2010 Census data for population density and analyzed criteria applicability allowing exemption and subsequently identified exempt areas by zip code; and

**WHEREAS**, the District has recently conducted a review of 2020 Census data provided by CARB for population density, and has reviewed applicable organized waste disposal services that may impact census zip code areas, and has recently surveyed the fire officials presiding over population density eligible areas to ascertain their position on the issue; and

**WHEREAS**, the District compiled a Staff Report for the 2023 Burn Barrel Prohibition Exemption Request that summarizes these findings and will be submitted to CARB as required.

**THEREFORE, BE IT RESOLVED**, that the North Coast Unified Air Quality Management District Governing Board hereby authorizes the District to offer Burn Barrel Exemptions to the zip codes identified in Staff Report for the 2023 Burn Barrel Prohibition Exemption Request as submitted to CARB.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date:

# STAFF REPORT

## BURN BARREL PROHIBITION

## EXEMPTION REQUEST



NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT

August 2023

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## Background

In February of 2002, the California Air Resources Board (ARB) adopted a control measure to regulate the emissions of air contaminants from residential open burning. The *Airborne Toxic Control Measure to reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning* (ATCM) consists of a general prohibition against the use of burn barrels and incinerators, and of the burning of paper and cardboard. The ATCM is designed to achieve protection of public health such that exposure to dioxin from open burning will not increase a person's lifetime cancer risk by more than 2 per million. The ATCM allows rural areas to be exempted from the burn barrel prohibition based upon population density. Areas with a population density of less than 3.0 persons per square mile are automatically exempt while areas greater than 3.0, but less than 10.0, may be exempted if the following criteria are met: the area is not an incorporated place, the area has less than 10 persons per square mile, and the chief fire official responsible for the area attests that burn barrels are necessary for purposes of fire safety. Population density is to be reevaluated, at minimum, once every ten years. Once burn barrel use is prohibited in an area, it cannot be re-authorized.

In 2004, the North Coast Unified Air Quality Management District (District) Governing Board adopted *Regulation II – Open Burning*. This set of local rules restricted the types of material which may be burned, established permitting requirements, and outlined the methods and techniques which must be used when conducting open burning. To implement the ATCM, the original version of Regulation II included a list of named places or defined geographic areas that were exempt from the ATCM prohibitions. Use of a burn barrel and open burning of non-glossy paper and cardboard were allowed in these areas for a limited term of either five or ten years.

The 2013 Amendments to Regulation II eliminated the established list of defined areas and substituted in its place a framework for exemption reauthorization. Under the framework, to qualify for a limited term exemption, a named place or defined geographic area must meet a blend of ATCM and District Rule 201 requirements. To be eligible for exemption, an area must meet all of the following criteria:

1. It must not be an incorporated location (city),
2. The population density cannot exceed 10.0 persons per square mile,
3. Organized garage collection service must not be available,
4. Burn barrel use has not been prohibited at any time since July 4, 2002 (No “backsliding”), and
5. The fire protection agency with jurisdiction over the area must endorse burn barrel use.

## Exemption Reauthorization

ARB approached the District in the winter of 2022 to discuss the process for exemption renewal in select zip code areas. ARB agreed to estimate population density by compiling census block-level data to derive values for each recognized zip code within the District. Population density maps based on the 2010 and the 2020 Census can be found in Appendix A. District staff distributed questionnaires to the chief fire officials responsible for each area eligible for burn barrel use under the current exemption. Fire agency endorsement is necessary to support the continued exemption of the burn barrel use prohibition. Agency responses can be found in Appendix B along with a listing of coverage areas for waste disposal and recycling services within the District. Staff evaluated the two existing subzone areas of 95567 and 95531 found within Six Rivers National Forest boundary and found that estimate of the population via census zip code data problematic. Data for the areas within zip code 95555 but outside of the Orick Community Services District was also limited. The fire agencies with jurisdiction over zip code areas 95555 - Orick and 96024 - Douglas City did not respond to the questionnaire. The population within zip code 96041 increased to 16.6 persons per square mile and is therefore ineligible. Based on this information, the areas listed in the table below are ineligible for continued use of the burn barrel.

Table 1 - Summary of Designation Changes

Defined Place		Fire Department	Basis for Change
<b>Del Norte Co.</b>			
Sub Zone 95567	Within Six Rivers NF Boundary and North of T-15N	Six Rivers National Forest	Population data necessary to define a planning area is unavailable
Sub-zone 95531	Within Six Rivers NF Boundary and South of T-15N	Six Rivers National Forest	Population data necessary to define a planning area is unavailable
<b>Humboldt Co.</b>			
Sub Zone 95555	Areas outside of the Orick Community Services District	Orick FPD	Fire Department Did Not Endorse
<b>Trinity Co.</b>			
95527	Hawkins Bar	Hawkins Bar FD	Fire Department Did Not Endorse
96041	Hayfork	CalFIRE – Hayfork	Population Density Increased to 16.6
96024	Douglas City	Douglas City VFD	Fire Department Did Not Endorse

## Proposed Designations

The tables below list all of the areas within the District which meet the eligibility requirements. Staff recommends the Governing Board designate the areas listed therein as eligible for the use of burn barrels to contain open outdoor fires pursuant to a valid District issued permit. In addition, the open burning of non-glossy paper and cardboard, as identified below, is also permissible.

Table 2 - Proposed Designations, Del Norte County

Defined Place		Fire Department	Burn Barrel Use Allowed	Burning of Paper & Cardboard Allowed	Comments
95543	Gasquet	Gasquet VFD	Yes	Yes	District Regulation II – Open Burning applies to all open outdoor fires conducted within the District. The Regulation identifies “approved and “prohibited” materials; outlines requirements for a smoke management program and a burn authorization system; and established permitting requirements.
All Areas Not Listed Above			No	No	

Table 3 – Proposed Designations, Humboldt County

Defined Place		Fire Department	Burn Barrel Use Allowed	Burning of Paper & Cardboard Allowed	Comments
95514	Blocksburg	Van Duzen VFD	Yes	Yes	District Regulation II – Open Burning applies to all open outdoor fires conducted within the District. The Regulation identifies “approved and “prohibited” materials; outlines requirements for a smoke management program and a burn authorization system; and established permitting requirements.
95526	Bridgeville	Bridgeville FPD	Yes	Yes	
95550	Korbel	Kneeland FPD	Yes	Yes	
95556	Orleans	Orleans VFD	Yes	Yes	
95558	Petrolia	Petrolia VFD	Yes	Yes	
All Areas Not Listed Above			No	No	

Table 4 – Proposed Designations, Trinity County

Defined Place		Fire Department	Burn Barrel Use Allowed	Burning of Paper & Cardboard Allowed	Comments
95552	Mad River & Ruth	Southern Trinity VFD	Yes	Yes	District Regulation II – Open Burning applies to all open outdoor fires conducted within the District. The Regulation identifies “approved and “prohibited” materials; outlines requirements for a smoke management program and a burn authorization system; and established permitting requirements.
95595	Zenia & Kettenpom	CalFire - Alderpoint	Yes	Yes	
96010	Big Bar	Downriver Fire Co.	Yes	Yes	
96046	Hyampom	USFS – Lower Trinity	Yes	Yes	
96048	Junction City	Junction City VFD	Yes	Yes	
96076	Post Mountain	USFS – Yolla Bolla	Yes	Yes	
96091	Trinity Center	CalFIRE – Weaverville	Yes	Yes	
All Areas Not Listed Above			No	No	

# Appendix A

## Population Density Data & Maps

## NORTH COAST UNIFIED AQMD

### ATCM Outdoor Residential Waste Burning

U.S. Census Incorporated Places and Population Density by Zip Code Tabulation Area (ZCTA)

Incorporated Places	
Arcata	Ferndale
Blue Lake	Fortuna
Crescent City	Rio Dell
Eureka	Trinidad

2000 ZCTA	2000 Population Density (persons/sq mi)*	2010 ZCTA	2010 Population Density (person/sq mi)*	2020 ZCTA	2020 Population Density (person/sq mi)*
95501 <sup>H</sup>	2035.2	95501 <sup>H</sup>	2128.8	95501 <sup>H</sup>	643.5
95502 <sup>H</sup>	0.0	--	--	--	--
95503 <sup>H</sup>	163.7	95503 <sup>H</sup>	207.0	95503 <sup>H</sup>	213.0
95511 <sup>H</sup>	5.9	95511 <sup>H</sup>	6.2	95511 <sup>H</sup>	6.5
95514 <sup>H</sup>	2.2	95514 <sup>H</sup>	2.9	95514 <sup>H</sup>	2.2
95519 <sup>H</sup>	207.8	95519 <sup>H</sup>	307.0	95519 <sup>H</sup>	340.4
95521 <sup>H</sup>	55.8	95521 <sup>H</sup>	73.3	95521 <sup>H</sup>	49.2
95524 <sup>H</sup>	117.0	95524 <sup>H</sup>	156.0	95524 <sup>H</sup>	181.7
95525 <sup>H</sup>	3.7	95525 <sup>H</sup>	5.8	95525 <sup>H</sup>	5.3
95526 <sup>H, T</sup>	3.0	95526 <sup>H, T</sup>	3.4	95526 <sup>H, T</sup>	4.1
95527 <sup>T</sup>	3.7	95527 <sup>T</sup>	4.6	95527 <sup>T</sup>	3.9
95528 <sup>H</sup>	8.8	95528 <sup>H</sup>	11.1	95528 <sup>H</sup>	11.3
95531 <sup>DN</sup>	39.9	95531 <sup>DN</sup>	87.4	95531 <sup>DN</sup>	85.8
95536 <sup>H</sup>	7.6	95536 <sup>H</sup>	10.1	95536 <sup>H</sup>	8.4

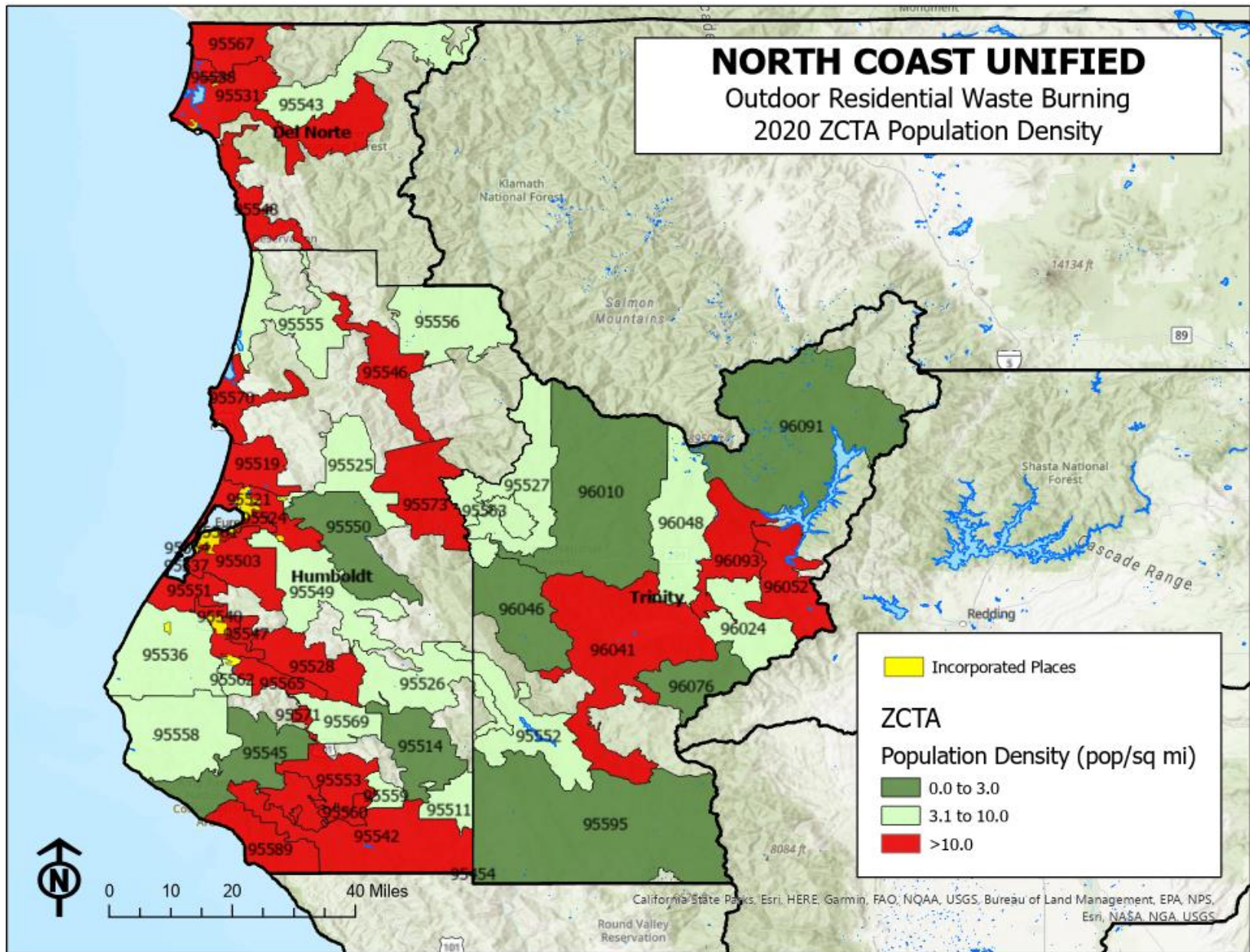


2000 ZCTA	2000 Population Density (persons/sq mi)*	2010 ZCTA	2010 Population Density (person/sq mi)*	2020 ZCTA	2020 Population Density (person/sq mi)*
95537 <sup>H</sup>	1420.0	95537 <sup>H</sup>	1533.3	95537 <sup>H</sup>	115.0
--	--	--	--	95538 <sup>DN</sup>	335.7
95540 <sup>H</sup>	57.1	95540 <sup>H</sup>	76.4	95540 <sup>H</sup>	52.8
95542 <sup>H</sup>	7.2	95542 <sup>H</sup>	12.8	95542 <sup>H</sup>	11.5
95543 <sup>DN</sup>	2.1	95543 <sup>DN</sup>	7.5	95543 <sup>DN</sup>	5.2
95545 <sup>H</sup>	2.3	95545 <sup>H</sup>	3.2	95545 <sup>H</sup>	1.3
95546 <sup>H</sup>	21.6	95546 <sup>H</sup>	25.6	95546 <sup>H</sup>	41.0
95547 <sup>H</sup>	161.8	95547 <sup>H</sup>	162.1	95547 <sup>H</sup>	122.2
95548 <sup>DN</sup>	16.9	95548 <sup>DN</sup>	15.7	95548 <sup>DN</sup>	21.0
95549 <sup>H</sup>	2.5	95549 <sup>H</sup>	7.2	95549 <sup>H</sup>	6.5
95550 <sup>H</sup>	1.3	95550 <sup>H</sup>	1.0	95550 <sup>H</sup>	1.1
95551 <sup>H</sup>	43.5	95551 <sup>H</sup>	40.9	95551 <sup>H</sup>	37.3
95552 <sup>T</sup>	2.6	95552 <sup>T</sup>	1.3	95552 <sup>H,T</sup>	4.0
95553 <sup>H</sup>	30.5	95553 <sup>H</sup>	17.9	95553 <sup>H</sup>	15.0
95554 <sup>H</sup>	12.8	95554 <sup>H</sup>	10.6	95554 <sup>H</sup>	9.0
95555 <sup>H</sup>	10.2	95555 <sup>H</sup>	4.8	95555 <sup>H</sup>	3.6
95556 <sup>H</sup>	3.0	95556 <sup>H</sup>	4.4	95556 <sup>H</sup>	3.9
95558 <sup>H</sup>	3.6	95558 <sup>H</sup>	2.1	95558 <sup>H</sup>	3.2
95559 <sup>H</sup>	8.5	95559 <sup>H</sup>	10.1	95559 <sup>H</sup>	8.8
95560 <sup>H</sup>	30.3	95560 <sup>H</sup>	49.5	95560 <sup>H</sup>	92.4
95562 <sup>H</sup>	8.4	95562 <sup>H</sup>	3.8	95562 <sup>H</sup>	7.0
95563 <sup>T</sup>	21.5	95563 <sup>T</sup>	10.8	95563 <sup>T</sup>	8.9
95564 <sup>H</sup>	206.9	95564 <sup>H</sup>	139.2	95564 <sup>H</sup>	91.9
95565 <sup>H</sup>	51.0	95565 <sup>H</sup>	32.2	95565 <sup>H</sup>	25.5
95567 <sup>DN</sup>	33.7	95567 <sup>DN</sup>	30.9	95567 <sup>DN</sup>	30.6
95568 <sup>H</sup>	39.5	--	--	--	--
95569 <sup>H</sup>	7.0	95569 <sup>H</sup>	5.8	95569 <sup>H</sup>	3.8

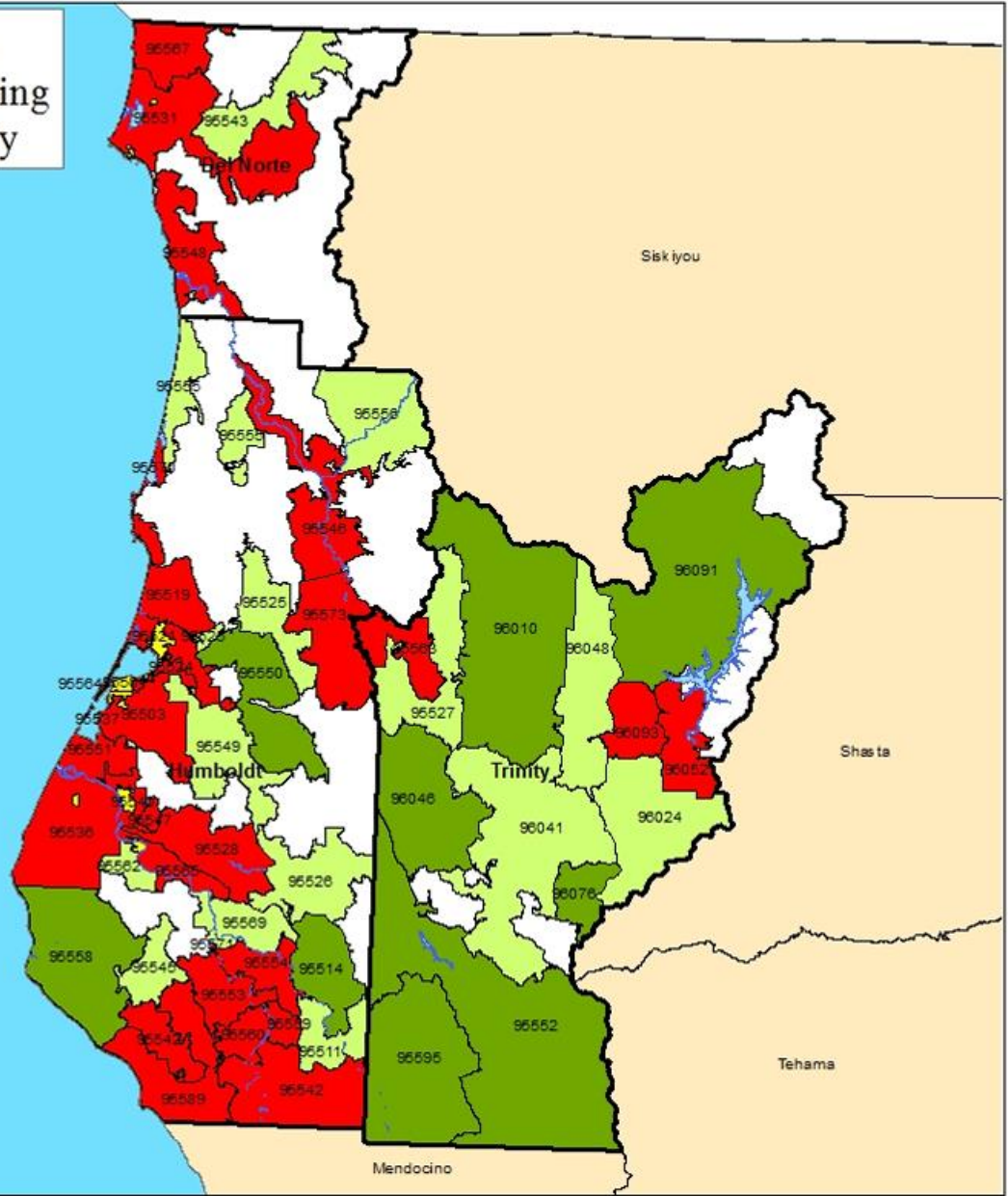
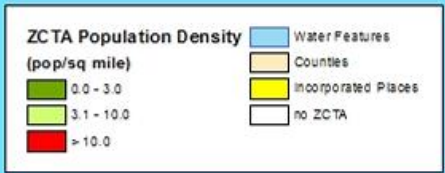
2000 ZCTA	2000 Population Density (persons/sq mi)*	2010 ZCTA	2010 Population Density (person/sq mi)*	2020 ZCTA	2020 Population Density (person/sq mi)*
95570 <sup>H</sup>	20.0	95570 <sup>H</sup>	95.2	95570 <sup>H</sup>	42.4
95571 <sup>H</sup>	173.0	95571 <sup>H</sup>	356.6	95571 <sup>H</sup>	44.8
95573 <sup>H</sup>	26.6	95573 <sup>H</sup>	14.5	95573 <sup>H</sup>	14.5
95589 <sup>H</sup>	9.3	95589 <sup>H</sup>	11.3	95589 <sup>H</sup>	10.8
95595 <sup>T</sup>	1.3	95595 <sup>T</sup>	1.1	95595 <sup>T</sup>	0.3
955XX <sup>DN, H, T</sup>	0.1	--	--	--	--
96010 <sup>T</sup>	1.3	96010 <sup>T</sup>	0.6	96010 <sup>T</sup>	0.4
96024 <sup>T</sup>	8.1	96024 <sup>T</sup>	6.4	96024 <sup>T</sup>	8.2
96041 <sup>T</sup>	9.0	96041 <sup>T</sup>	8.4	96041 <sup>T</sup>	16.6
96046 <sup>T</sup>	3.5	96046 <sup>T</sup>	1.7	96046 <sup>T</sup>	2.2
96048 <sup>T</sup>	1.2	96048 <sup>T</sup>	4.8	96048 <sup>T</sup>	4.5
96052 <sup>T</sup>	14.0	96052 <sup>T</sup>	18.9	96052 <sup>T</sup>	13.3
96076 <sup>T</sup>	0.9	96076 <sup>T</sup>	1.3	96076 <sup>T</sup>	1.2
96091 <sup>T</sup>	3.1	96091 <sup>T</sup>	1.6	96091 <sup>T</sup>	1.3
96093 <sup>T</sup>	77.4	96093 <sup>T</sup>	70.5	96093 <sup>T</sup>	41.6
960XX <sup>T</sup>	0.0	--	--	--	--

\*Less the land area and population of incorporated places

<sup>DN</sup> Del Norte County; <sup>H</sup> Humboldt County; <sup>T</sup> Trinity County



# NORTH COAST UNIFIED Outdoor Residential Waste Burning 2010 ZCTA Population Density







# Appendix B

## Eligibility Criteria Data Table

## ELIGIBILITY CRITERIA

County	2003 Evaluation - Initial Designation		Exemption Status	2013 Evaluation - First Renewal			2023 Evaluation - Second Renewal				
	District Zip Codes	Fire Agency		2010 Census Population Density	Curbside Recycling Unavailable?	Fire Agency Approval?	Exemption Status	2020 Census Population Density	Curbside Recycling UnAvailable?	Fire Agency Approval?	Exemption Status
Del Norte	95531	Crescent City FPD, CAL FIRE	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Del Norte	95538	Fort Dick FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Del Norte	95543	Gasquet FD	Yes	3.0 < x < 10.0	No	Yes	Approved	3.0 < x < 10.0	No	Yes	Approved
Del Norte	95548	Klamath FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Del Norte	95567	Smith River FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Del Norte	95531 - East	CAL FIRE, Six Rivers National Forest	Yes	3.0 < x < 10.0	Yes	Yes	Approved	U	Yes	Yes	Denied
Del Norte	95567 - East	CAL FIRE, Six Rivers National Forest	Yes	3.0 < x < 10.0	Yes	Yes	Approved	U	Yes	Yes	Denied
Humboldt	95501	Eureka FPD	No	x > 10.0	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95502	PO Box	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Humboldt	95503	Humboldt Fire District	No	x > 10.0	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95511	Garberville FPD	Yes	3.0 < x < 10.0	-	No	Denied	-	-	-	Previous Denial
Humboldt	95514	Van Duzen VFD/ Garberville FPD	Yes	3.0 < x < 10.0	Yes	Yes	Approved	x < 3.0	Yes	N/A	Approved
Humboldt	95518	PO Box	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Humboldt	95519	Arcata FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95521	Arcata FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95524	Arcata FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95525	Blue Lake FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95526	Bridgeville FDP	Yes	3.0 < x < 10.0	Yes	Yes	Approved	3.0 < x < 10.0	Yes	Yes	Approved
Humboldt	95528	Carlotta VFD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95534	Humboldt Fire District	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95536	Ferndale FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95537	Humboldt Fire District	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95540	Fortuna FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95542	Garberville FPD	Partial	x > 10.0	-	No	Denied	-	-	-	Previous Denial
Humboldt	95545	Honeydew VFD, CALFIRE-Weott	Yes	3.0 < x < 10.0	-	No	Denied	-	-	-	Previous Denial
Humboldt	95546	Hoopa FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95547	Fortuna FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95549	Kneeland FDP	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95550	Blue Lake FPD, Kneeland FPD, CAL FIRE	Yes	x < 3.0	-	-	Approved	x < 3.0	-	-	Approved
Humboldt	95551	Loleta FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95553	Miranda FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95554	Miranda FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95555	Orick FPD	Yes	3.0 < x < 10.0	Yes	Yes	Approved	3.0 < x < 10.0	Yes	NR	Denied
Humboldt	95556	Orleans FPD	Yes	3.0 < x < 10.0	Yes	Yes	Approved	3.0 < x < 10.0	Yes	Yes	Approved
Humboldt	95558	Petrolia , CAL FIRE, Fortuna FPD	Yes	3.0 < x < 10.0	Yes	Yes	Approved	3.0 < x < 10.0	Yes	Yes	Approved
Humboldt	95559	Philipsville FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95560	Redway FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95562	Rio Dell FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95563	Willow Creek FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95564	Somoa FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95565	Scotia FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95569	Redcrest, CAL FIRE-Weott	Yes	3.0 < x < 10.0	-	No	Denied	-	-	-	Previous Denial
Humboldt	95570	Trinidad FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95571	Weott FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95573	Willow Creek FPD	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Humboldt	95589	Sheltercove VFD, CALFIRE - Whitethorn	Yes	x > 10.0	-	Yes	Denied	-	-	-	Previous Denial
Trinity	95527	Hawkins Bar FD, USFS-Lower Trinity	Yes	3.0 < x < 10.0	Yes	Yes	Approved	3.0 < x < 10.0	Yes	No	Denied
Trinity	95546	USFS-Lower Trinity	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Trinity	95552	USFS-Mad River So Trinity VFD	Yes	3.0 < x < 10.0	Yes	Yes	Approved	3.0 < x < 10.0	Yes	Yes	Approved
Trinity	95563	USFS-Lower Trinity	No	-	-	-	Previous Denial	-	-	-	Previous Denial

Trinity	95595	Zenia/Kettenpom, CALFIRE-Alderpoing	Yes	x < 3.0	Yes	Yes	Approved	x < 3.0	Yes	-	Approved
Trinity	96010	Downriver, USFS-Big Bar	Yes	x < 3.0	Yes	Yes	Approved	x < 3.0	Yes	-	Approved
Trinity	96024	Douglas City VFD	Yes	3.0 < x < 10.0	Yes	Yes	Approved	3.0 < x < 10.0	Yes	NR	Denied
Trinity	96041	Forest Glen/Hayfork, CALFIRE-Hayfork	Yes	3.0 < x < 10.1	Yes	Yes	Approved	x > 10.0	N/A	-	Denied
Trinity	96046	Hyampom, USFS-Lower Trinity	Yes	3.0 < x < 10.2	Yes	Yes	Approved	x < 3.0	Yes	-	Approved
Trinity	96048	Junction City, CALFIRE-Weaverville, Junction C	Yes	3.0 < x < 10.3	Yes	Yes	Approved	3.0 < x < 10.0	Yes	Yes	Approved
Trinity	96052	CALFIRE-Weaverville	No	-	-	-	Previous Denial	-	-	-	Previous Denial
Trinity	96076	Post Mountain, USFS-Yolla Bolla	Yes	Prior Exclusion	Yes	Yes	Approved	x < 3.0	Yes	-	Approved
Trinity	96091	Trinity Center, CALFIRE-Weaverville	Yes	Prior Exclusion	Yes	Yes	Approved	x < 3.0	Yes	-	Approved
Trinity	96093	CALFIRE-Weaverville	No	-	-	-	Previous Denial	-	-	-	Previous Denial

Key

- NR : No Response
- VFD : Volunteer Fire Department
- FPD : Fire Protection District
- U Unavailable



Masquet VFD.

Nick Karaopolis  
(SP?)

Survey

In regard to the use of a burn barrel to dispose of residential household waste within my Fire Agency's jurisdiction:

*\*Please select one item from the list below.*

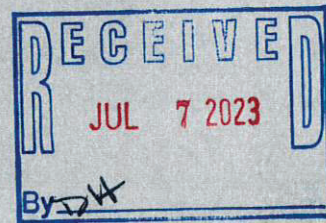
- Yes, we are in favor of the reauthorization of burn barrel use in our area. The burn barrel is an effective fire safety tool.
- No, we do not support the continued use of burn barrels within our agency's jurisdiction.
- Other: \_\_\_\_\_

Printed Name: Nick Karaopolis Position: Chief  
 Signature: [Handwritten Signature] Date: 7/8/2023

At your earliest convenience, please return the completed questionnaire by email, fax, or mail. If you have any questions or require additional information, please contact Alexandra Winkler at (707) 443-3093 x128.

*[Handwritten Signature]*

Alexandra Winkler  
 Administrative Support  
 North Coast Unified AQMD  
 Awinkler@ncuaqmd.org  
 Office: (707) 443-3093 x128  
 Fax: (707) 443-3099





Survey

In regard to the use of a burn barrel to dispose of residential household waste within my Fire Agency's jurisdiction:

*\*Please select one item from the list below.*

- Yes, we are in favor of the reauthorization of burn barrel use in our area. The burn barrel is an effective fire safety tool.
- No, we do not support the continued use of burn barrels within our agency's jurisdiction.
- Other: \_\_\_\_\_

Printed Name: Duane Franklin

Position: DFMO - Division 1 USFS

Signature: *Duane Franklin*

Date: 7/12/22

At your earliest convenience, please return the completed questionnaire by email, fax, or mail. If you have any questions or require additional information, please contact Alexandra Winkler at (707) 443-3093 x128.



Alexandra Winkler  
Administrative Support  
North Coast Unified AQMD  
Awinkler@ncuaqmd.org  
Office: (707) 443-3093 x128  
Fax: (707) 443-3099



Survey

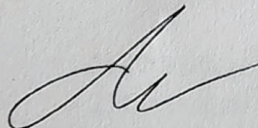
In regard to the use of a burn barrel to dispose of residential household waste within my Fire Agency's jurisdiction:

*\*Please select one item from the list below.*

- Yes, we are in favor of the reauthorization of burn barrel use in our area. The burn barrel is an effective fire safety tool.
- No, we do not support the continued use of burn barrels within our agency's jurisdiction.
- Other: \_\_\_\_\_

Printed Name: Danielle Holway Position: Asst. Chief  
Signature: Danielle Holway Date: 6/21/23

At your earliest convenience, please return the completed questionnaire by email, fax, or mail. If you have any questions or require additional information, please contact Alexandra Winkler at (707) 443-3093 x128.



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Orleans VFD

Survey

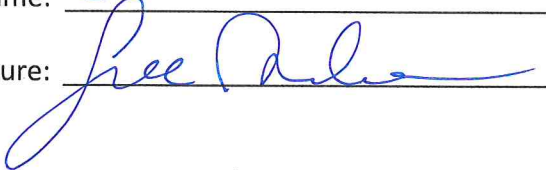
In regard to the use of a burn barrel to dispose of residential household waste within my Fire Agency's jurisdiction:

*\*Please select one item from the list below.*

- Yes, we are in favor of the reauthorization of burn barrel use in our area. The burn barrel is an effective fire safety tool.
- No, we do not support the continued use of burn barrels within our agency's jurisdiction.
- Other: \_\_\_\_\_

Printed Name: ERIC NELSON

Position: OVFD FIRE CHIEF

Signature: 

Date: 07-12-2023

At your earliest convenience, please return the completed questionnaire by email, fax, or mail. If you have any questions or require additional information, please contact Alexandra Winkler at (707) 443-3093 x128.



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Survey

In regard to the use of a burn barrel to dispose of residential household waste within my Fire Agency's jurisdiction:

*\*Please select one item from the list below.*

- Yes, we are in favor of the reauthorization of burn barrel use in our area. The burn barrel is an effective fire safety tool.
- No, we do not support the continued use of burn barrels within our agency's jurisdiction.
- Other: \_\_\_\_\_

Printed Name: Laura Cochran-e

Position: Board Chair

Signature: 

Date: 6/28/23

At your earliest convenience, please return the completed questionnaire by email, fax, or mail. If you have any questions or require additional information, please contact Alexandra Winkler at (707) 443-3093 x128.



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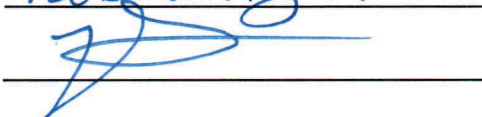
# Hawkins Bar Fire

## Survey

In regard to the use of a burn barrel to dispose of residential household waste within my Fire Agency's jurisdiction:

*\*Please select one item from the list below.*

- Yes, we are in favor of the reauthorization of burn barrel use in our area. The burn barrel is an effective fire safety tool.
- No, we do not support the continued use of burn barrels within our agency's jurisdiction.
- Other: \_\_\_\_\_

Printed Name: Todd Wright Position: Fire Chief  
Signature:  Date: 7.12.23

At your earliest convenience, please return the completed questionnaire by email, fax, or mail. If you have any questions or require additional information, please contact Alexandra Winkler at (707) 443-3093 x128.



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Survey

In regard to the use of a burn barrel to dispose of residential household waste within my Fire Agency's jurisdiction:

*\*Please select one item from the list below.*

- Yes, we are in favor of the reauthorization of burn barrel use in our area. The burn barrel is an effective fire safety tool.
- No, we do not support the continued use of burn barrels within our agency's jurisdiction.
- Other: \_\_\_\_\_

Printed Name: GENE Lombardo

Position: President

Signature: 

Date: 6-15, 23

Southern Trinity VFD

At your earliest convenience, please return the completed questionnaire by email, fax, or mail. If you have any questions or require additional information, please contact Alexandra Winkler at (707) 443-3093 x128.



Alexandra Winkler  
Administrative Support  
North Coast Unified AQMD  
Awinkler@ncuaqmd.org  
Office: (707) 443-3093 x128  
Fax: (707) 443-3099

Survey

In regard to the use of a burn barrel to dispose of residential household waste within my Fire Agency's jurisdiction:


*\*Please select one item from the list below.*

Yes, we are in favor of the reauthorization of burn barrel use in our area. The burn barrel is an effective fire safety tool.

No, we do not support the continued use of burn barrels within our agency's jurisdiction.

Other: JUNCTION CITY FIRE PROTECTION DIST

Printed Name: G JUSTIN KERWICK Position: CHIEF JCFD

Signature:  Date: 7-8-23

At your earliest convenience, please return the completed questionnaire by email, fax, or mail. If you have any questions or require additional information, please contact Alexandra Winkler at (707) 443-3093 x128.



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# Appendix C

## Rule 201 & State ATCM

# Regulation II

## Rule 201 – Prohibitions, General Requirements and Burn Day Determinations



*This Rule replaced Rule 201 General Prohibitions and Exemptions for Selected Open Burning.  
The current version was adopted by the Governing Board via Resolution 2013-9 on December 11, 2013.*

# **Rule 201 – Prohibitions, General Requirements, and Burn Day Determinations**

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## Rule 201 – Prohibitions, General Requirements and Burn Day Determinations

### A. PROHIBITIONS

1. **Nuisance:** In no event shall open burning create a nuisance as determined by the APCO.
2. **Prohibited Materials:** No person may burn prohibited materials using open outdoor fires. For purposes of this Section, open outdoor burning includes the use of a burn barrel or incinerator that is not housed within a structure.
3. **Burn Permit:** No person may burn approved materials using open outdoor fires without a valid District burn permit, and in compliance with permit conditions.
4. **Burning on No Burn Days Prohibited:** No person may burn material on a calendar day that has been designated as a No Burn Day in the smoke management area where the burning is to take place. Notwithstanding this No Burn Day prohibition, burning may occur on a No Burn Day in accordance the terms and conditions of *No Burn Day Permit* issued pursuant to Rule 204.
5. **Burn Barrel:** Except as otherwise specifically authorized by Regulation II, the use of any type of burn barrel, incinerator, or similar device is prohibited except as specifically authorized in Section 2.3 of this Rule.
6. **Field Crop Ignition Methods:** Field crops, as identified by the District, shall be ignited only by strip firing or backfiring, or other burning techniques approved by the APCO.
7. **Restriction of Burning During Poor Air Quality Conditions:** The APCO may restrict burning on a permissive burn day if such burning could cause or contribute to potential adverse air quality conditions. No burning shall be conducted when such burns, in conjunction with present or predicted meteorology, could cause or contribute to a violation of any federal or State ambient air quality standard.
8. **Populated Areas and Sensitive Receptors:** As determined by the APCO, no burning may be conducted if meteorological conditions would cause an excessive amount of emissions to be transported into populated areas or sensitive receptor areas.
9. **Burning Material Not Grown Onsite:** No material may be transported to another location to be burned, except when the burning is conducted in compliance with a *Non-Standard Burn Permit* issued for that purpose, or as otherwise approved by the APCO.
10. **Authorized Quantity, Notice of Escape, and Suppression**
  - a. **Authorized Quantity:** No person shall allow any amount of combustible materials to be burned in excess of the amount authorized by the APCO pursuant to Rule 206, or the amount identified on the burn permit, whichever is less.
  - b. **Suppression:** For all burns that exceed the amount allowed in the burn authorization, the responsible party shall immediately undertake measures to suppress and control said burn. The burn must be extinguished to the satisfaction of the APCO.

- c. **Notification:** If any authorized burn escapes beyond what is authorized and escapes beyond their control, the responsible party shall immediately notify the local, State or federal fire protection agency having jurisdiction over the burn. The responsible party shall notify the District within one hour of the escape, or as soon as safely possible to do so.

## B. GENERAL REQUIREMENTS

1. **Required Permits:** Prior to the burning of any Approved Material, written authorization from the District shall be obtained in the form of one of the following types of District burn permits. The Permittee shall comply with all conditions as outlined in the following Burn Permit(s) or as otherwise specified by the APCO.
  - a. **Standard Burn Permit:** A *Standard Burn Permit* issued pursuant to Rule 202 is required for the open outdoor burning of material arranged in a single pile that is no larger than four feet in diameter that is conducted at a single or two family residence.
  - b. **Non-Standard Burn Permit:** A *Non-Standard Burn Permit* issued pursuant to Rule 203 is required for the open outdoor burning performed at the locations and for the purposes identified below. Definitions for each of the types of burning can be found in Regulation I, Rule 101, and are further limited by the Sections below.
    - i. **Agricultural Burning:** Open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, or prescribed fires (prescribed burning) used in forest management, range improvement or the improvement of land for wildlife and game habitat, or disease or pest prevention.
    - ii. **Disposal Sites:** Open burning of vegetation at any site or location where solid waste is also transferred, sorted, or stored on a temporary or permanent basis.
    - iii. **Fire Hazard Reduction:** The intentional use of fire to reduce vegetative fuel loading and create a defensible space.
    - iv. **Habitat Improvement Burning:** Open burning of vegetation certified by the California Department of Fish and Game as being desirable and proper for the improvement or management of game or wildlife habitat.
    - v. **Property Development:** Open burning of vegetation that was felled or uprooted for the purpose of commercial land development that is conducted on the parcel of land where the vegetation was grown.
    - vi. **Residential Burning:** The open burning of one pile of material larger than four feet in diameter at the location of a single or two family dwelling.
    - vii. **Timber Harvest Burning:** The open burning of timer or other forest vegetation as a result of the harvest of timber products and silviculture practices.
    - viii. **Wild Land Vegetation Burning:** The use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominantly covered with chaparral, trees, grass, or standing brush.
  - c. **No Burn Day Permit:** A *No Burn Day Permit* issued pursuant to Rule 204 is required to burn on a No Burn Day.
  - d. **Fire Training Burn Permit:** A *Fire Training Burn Permit* issued pursuant to Rule 205 is required to burn combustible materials, including select prohibited materials, for the purpose of the instruction of personnel in the suppression and control of fire involving structures, vegetation, or wild land areas.
2. **Activities Exempt from Permit Requirements:** The open burning of select materials conducted in a specified manner under the limited circumstances identified in this Section are exempt from the requirement to obtain a Burn Permit.

- a. **Recreational Fire:** The use of open outdoor fires for the purpose of cooking food, recreation, or to provide warmth shall be exempt when the amount of material being burned, per parcel or campsite, is a single pile three feet in diameter and two feet high, or less. Only Approved Materials may be burned.
  - b. **Ceremonial Fires:** The use of open outdoor fires for ceremonial or religious purposes shall be exempt as follows:
    - i. When located on land parcels of less than one half acre, exempt fires shall be less three feet in diameter and two feet high, or less unless an alternate size is acceptable to the APCO.
    - ii. When located on land parcels one half acre in size or larger, pile size shall be limited to less than 15 feet in diameter, unless an alternate size is approved by the APCO.
  - c. **Ceremonial Flag Destruction:** The burning of an unserviceable United States of America or California State flag as permitted in accordance with applicable law or regulation.
  - d. **Back Fires to Protect Life and Property:** Burning operations conducted pursuant to §4426 of the Public Resources Code as back fires necessary to save life or valuable property shall be exempt from the requirements of Regulation II.
3. **Burn Barrels:**
- a. **Exempt Areas:** The District Governing Board may designate areas where the use of a burn barrel is permitted on Permissive Burn Days. Further, the Board may designate areas where the burning of dry, non-glossy paper and cardboard originating from, and being burned on the premises of a single or two family residence, may be allowed. The exemption may only be granted in areas that satisfy all of the requirements contained in this Section and meet the eligibility criteria listed below. In no event shall the exemption authorized by this Section extend beyond ten years from the date of approval by the CARB.
    - i. The residence is not in an incorporated location; and
    - ii. The residence lies within the boundaries of a census zip code or census zip code sub-area not served on a weekly basis by an organized waste disposal service; and
    - iii. The residence does not lie within the boundary of a jurisdiction that prohibits the burning of dry, non-glossy paper and cardboard as of January 1, 2014, or thereafter.
    - iv. Within the boundaries of the census zip code or zip code sub-area, if the population density remains equal to or below 10.0 persons per square mile, the air district may renew the exemption for a period of ten years pursuant to §93113(e), Title 17 of the California Code of Regulations.
  - b. Open outdoor fires conducted pursuant to this Section shall comply with all applicable Sections of Regulation II.
4. **Burn Hours:** No person shall burn at times other than of the hours identified herein. The APCO may further restrict burn hours as necessary to protect the public health and safety or avoid a public nuisance.
- a. **Del Norte County**
    - i. **Standard Permit:** Burn hours are from 6:00 AM until 12:00 PM.
    - ii. **Non-Standard Permit:** Burn hours are from 6:00 AM until one hour before sunset.
  - b. **Humboldt County**
    - i. **Standard Permit:** Burn hours are from 6:00 AM until 12:00 PM.
    - ii. **Non-Standard Permit:** Burn hours are from 6:00 AM until one hour before sunset.
  - c. **Trinity County**
    - i. **Standard Permit:** Burn hours are from 6:00 AM until one hour before sunset unless further restricted by the local fire protection agency.
    - ii. **Non-Standard Permit:** Burn hours are from 6:00 AM until one hour before sunset.

5. **Best Management Practices:** Material shall only be burned in accordance with the following Best Management Practices.
  - a. **Arrangement:** All material shall be arranged so that it will ignite as rapidly as practicable within applicable fire control restrictions and burn with a minimum of smoke.
  - b. **Quantity of Material:** No person shall ignite material in quantities or amounts in excess of what can reasonably be expected to completely burn within the burn period designated on the corresponding burn permit, or in amounts greater than authorized by the APCO pursuant to a Burn Authorization on any one (1) day.
    - i. **Exceptions:** When approved by the APCO, vegetation, trees, stumps and branches greater than six (6) inches in diameter may be ignited even though they cannot reasonably be expected to completely burn within a calendar day. Burning vegetation greater than six (6) inches in diameter beyond the designated burn hours does not relieve the Permittee from smoke impact liability.
6. **Drying Times:** In order to lower the moisture content of material, the elapsed time between cutting, felling or uprooting, and of the ignition or burning of material shall be:
  - a. **Six Inches and Greater:** A minimum of thirty (30) days for trees, stumps and branches greater than six (6) inches in diameter.
  - b. **Smaller than Six Inches:** A minimum of fifteen (15) days for vines, bushes or branches less than or equal to six (6) inches in diameter.
  - c. **Exception:** In the event that vegetative material has been contaminated with infectious disease(s) or pest(s) and upon order by the County Agricultural Commissioner, the minimum drying times required by this Section shall not apply. A copy of the written order shall be supplied to the District prior to burning.
7. **Wind Direction:** In order to prevent the creation of a public nuisance, material authorized for burning may not be ignited when the wind direction has the potential to cause smoke from the burn to be carried into a nearby populated area or impact a Sensitive Receptor.
8. **Burning of Vines or Bushes Treated with Herbicides:** Notwithstanding the provisions of Section B.6 of this Rule, vines or bushes may be burned in place without being cut or uprooted if they are treated and desiccated with herbicides and allowed to dry at least six (6) months prior to ignition or burning.
  - a. **Exception:** The burning of vines or bushes treated with herbicides may be allowed by the APCO prior to the expiration of the six (6) month period when performed in accordance with a valid Burn Permit and where the applicant for a Burn Permit demonstrates to the satisfaction of the APCO that burning vines or bushes treated with herbicides, prior to the expiration of such six (6) month period, could be accomplished in a manner that would produce no more smoke than would be produced by the burning of the same type of vines or bushes that had been cut or uprooted and dried for fifteen (15) days.
9. **Certificates from Department of Fish and Wildlife:** Pursuant to the California Clean Air Act of 1988 (Health & Safety Code, §41800 et. seq.), the California Air Resources Board (CARB) has promulgated Agricultural Burning Control measures, including measures to reduce criteria pollutant emissions from open burning conducted for the purpose of improving land for wildlife or game habitat. For purposes of criteria pollutant emissions from agricultural open burning, the District hereby adopts CARB's Burning for Improvement of Wildlife or Game Habitat Regulation as set forth at 17 CCR Section 1561.1, and all amendments thereto, hereby incorporated by reference. A complete copy of said regulation is filed and available for use and examination by the public at the District office.

10. **Emergencies, APCO Authority to Suspend Requirements:** In the event of a natural disaster, or other emergency situation, the APCO may temporarily suspend the implementation of Regulation II. The suspension may continue until such time as the emergency has been abated as determined by the APCO.

C. **BURN DAY DETERMINATION:** The APCO shall determine whether a given calendar day is a permissive Burn Day or a No Burn Day.

1. **CARB No Burn Day:** In the event that the CARB has determined a given calendar day to be a No Burn Day in accordance with 17 CCR §80110, the APCO shall declare that day to be a No Burn Day.
2. **Fire Prevention No Burn Day Designations:** The APCO will not declare a permissive Burn Day for any area on any day where burning is prohibited, by any local, State or federal fire protection agency having jurisdiction over the site of the proposed burn.
3. **Designated Smoke Management Areas:** For the purposes of smoke management and burn day determination, the District shall designate three distinct areas within its jurisdiction as follows:
  - a. **Zone 1, Coastal Smoke Management Area** - all lands within the boundary specified as the Humboldt Bay Air Basin (Appendix C), and all lands less than 2,000 feet mean sea level within the jurisdiction of the North Coast Unified Air Quality Management District north of Cape Mendocino and within five (5) statute air miles shoreward from the Pacific Ocean coast and identified by the APCO.
  - b. **Zone 2, Inland Smoke Management Area** - all lands within the North Coast Unified Air Quality Management District below 2,000 feet mean sea level, excluding those lands within the Coastal Smoke Management Area and identified by the APCO.
  - c. **Zone 3, Upper Inland Smoke Management Area** - all lands within the North Coast Unified Air Quality Management District above 2,000 feet mean sea level, excluding those lands within the Coastal Smoke Management Area and identified by the APCO.

D. **PERMIT MODIFICATION, SUSPENSION, AND REVOCATION**

The APCO may evaluate and determine at any time that an existing burn permit must be modified, suspended, or revoked in order to protect the public health, or to prevent adverse environmental effects. When making such a determination, the APCO may consider the permit holder's compliance history or status, the potential for the creation of a public nuisance, requests or determinations made by fire protection, environmental health, or other law enforcement agencies, and any other information the APCO considers relevant.



**Attachment 1**

**Final Regulation Order:  
Airborne Toxic Control Measure to Reduce Emissions of  
Toxic Air Contaminants from Outdoor Residential Waste Burning**

## Final Regulation Order

### Airborne Toxic Control Measure to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning

Adopt new section 93113, title 17, California Code of Regulations, to read as follows:

**93113 Airborne Toxic Control Measure to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning.**

**(a) Applicability.**

- (1) Notwithstanding section 41806(a) of the Health and Safety Code, this regulation shall apply to persons conducting outdoor burning of combustible or flammable waste generated from inside residences and from outdoor activities associated with a residence, for the purpose of disposing of the waste.
- (2) This regulation shall apply to persons lighting fires that burn combustible or flammable waste, as defined, outdoors in enclosed or partially enclosed vessels, such as incinerators or burn barrels, or in an open outdoor fire, such as in pits or in piles on the ground. This regulation shall not apply to persons lighting fires at the direction of a public officer in an emergency situation for public health or fire safety reasons, in accordance with section 41801 of the Health and Safety Code or other provisions of law.
- (3) Except as provided in (a)(1) and (a)(2) above, nothing in this regulation shall affect the applicability of the provisions of article 2 and article 3, respectively, of chapter 3 of part 4 of division 26 of the Health and Safety Code.

**(b) Definitions.**

Terms used shall have the same definitions as in Health and Safety Code section 39010 et. seq., unless otherwise indicated. For purposes of this regulation, the following additional definitions shall apply:

- (1) "Air Pollution Control District" (APCD), "Air Quality Management District" (AQMD), "air district," or "district" means an air pollution control district or an air quality management district created or continued in existence pursuant to Health and Safety Code section 40000 et seq.

- (2) "APCO" means the Air Pollution Control Officer or the chief executive officer of the respective local air pollution control district or local air quality management district where the property is located, or a designated representative.
- (3) "ARB" means the State of California Air Resources Board.
- (4) "Air Toxic" means toxic air contaminants as defined in section 39655 (a) of the Health and Safety Code.
- (5) "Allowable Combustibles" means dry natural vegetation waste originating on the premises and reasonably free of dirt, soil and visible surface moisture.
- (6) "Approved ignition device" means an instrument or material that will ignite open fires without the production of black smoke by the ignition device, as approved by the APCO.
- (7) "Burn Barrel" means a metal container used to hold combustible or flammable waste materials so that they can be ignited outdoors for the purpose of disposal.
- (8) "Census zip code" means a Zip Code<sup>®</sup> tabulation area, a statistical geographic entity that approximates the delivery area for a U.S. Postal Service five-digit Zip Code. Census zip codes are aggregations of census blocks that have the same predominate Zip Code associated with the mailing addresses in the U.S. Census Bureau's Master Address File. Census zip codes do not precisely depict Zip Code delivery areas, and do not include all Zip Codes used for mail delivery. For the purposes of this regulation, census zip codes are referenced to the most recent national decennial census completed by the U.S. Census Bureau.
- (9) "Chief fire official" means the ranking officer in the authority having jurisdiction with responsibility for fire protection within a defined geographic region of an air district, or his or her designee. The chief fire official may be a federal, state, county or municipal employee, depending on the extent of the fire jurisdiction within the exemption area. In State or Federal Responsibility Areas for wildland protection, the state or federal official's determination overrides county authority with regard to burn permits and the use of burn barrels or incinerators in exemption areas.
- (10) "Combustible" means any substance capable of burning or any substance that will readily burn.
- (11) "Disallowed Combustibles" means any waste or manufactured material, including but not limited to petroleum products and petroleum wastes;

construction and demolition debris; coated wire; putrescible wastes; tires; tar; tarpaper; non-natural wood waste; processed or treated wood and wood products; metals; motor vehicle bodies and parts; rubber; synthetics; plastics, including plastic film, twine and pipe; fiberglass; styrofoam; garbage; trash; refuse; rubbish; disposable diapers; ashes; glass; industrial wastes; manufactured products; equipment; instruments; utensils; appliances; furniture; cloth; rags; paper or paper products; cardboard; boxes; crates; excelsior; offal; swill; carcass of a dead animal; manure; human or animal parts or wastes, including blood; and fecal- and food-contaminated material. For purposes of this regulation, dry, natural vegetation waste from yard maintenance is not a disallowed combustible, if reasonably free of dirt, soil and surface moisture.

- (12) "Flammable" means capable of catching fire easily, or combustible.
- (13) "Incinerator" means any device constructed of nonflammable materials, including containers commonly known as burn barrels, for the purpose of burning therein trash, debris, and other flammable materials for volume reduction or destruction.
- (14) "Incorporated place" means the city, town, municipality or village reported to the U.S. Census Bureau as being legally in existence under California law at the time of the most recent national decennial census completed by the U.S. Census Bureau. For the purposes of calculating population density for this regulation, incorporated places include the FIPS Place Class Codes C1, C7 and C8, as defined by the U.S. Census Bureau in Technical Documentation, Summary File 1, October 2002.
- (15) "Natural vegetation" means all plants, including but not limited to grasses, forbs, trees, shrubs, flowers, or vines that grow in the wild or under cultivation. Natural vegetation excludes vegetative materials that have been processed, treated or preserved with chemicals for subsequent human or animal use, including but not limited to chemically-treated lumber, wood products or paper products.
- (16) "Open outdoor fire" means the combustion of combustible material of any type outdoors in the open, not in any enclosure, where the products of combustion are not directed through a flue.
- (17) "Permissive burn day" or "burn day" means any day on which agricultural burning, including prescribed burning, is not prohibited by the ARB and agricultural and prescribed burning is authorized by the air district consistent with the Smoke Management Guidelines for Agricultural and Prescribed Burning, set forth in sections 80100-80330 of title 17 of the California Code of Regulations.

- (18) "Population density" means the number of people per square mile within a census zip code. It is calculated as the number of people within a census zip code divided by the area of the census zip code after subtracting the population and area of all incorporated places within the census zip code.
- (19) "Processed or treated wood and wood products" means wood that has been chemically treated to retard rot or decay or wood that has been modified with glues, laminates, stains, finishes, paints or glosses for use in furniture or for construction purposes, including but not limited to plywood, particle board, fencing or railroad ties. For the purposes of this regulation, dimensional lumber that has been air-dried or kiln-dried, with no preservatives or finishes added, is not considered processed or treated wood.
- (20) "Residence" means a single- or two-family dwelling unit and the land and ancillary structures surrounding it.
- (21) "Residential waste burning" means the disposal of the combustible or flammable waste from a single- or two-family dwelling unit or residence by burning outdoors. Residential waste burning is not agricultural, including prescribed, burning.
- (22) "Waste" means all discarded putrescible and non-putrescible solid, semisolid, and liquid materials, including but not limited to petroleum products and petroleum wastes; construction and demolition debris; coated wire; tires; tar; tarpaper; wood waste; processed or treated wood and wood products; metals; motor vehicle bodies and parts; rubber; synthetics; plastics, including plastic film, twine and pipe; fiberglass; styrofoam; garbage; trash; refuse; rubbish; disposable diapers; ashes; glass; industrial wastes; manufactured products; equipment; instruments; utensils; appliances; furniture; cloth; rags; paper or paper products; cardboard; boxes; crates; excelsior; offal; swill; carcass of a dead animal; manure; human or animal parts or wastes, including blood; fecal- and food-contaminated material; felled trees; tree stumps; brush; plant cuttings and prunings; branches; garden waste; weeds; grass clippings, pine needles, leaves and other natural vegetation waste.

**(c) Prohibitions.**

- (1) No person shall burn disallowed combustibles from any property for the purpose of disposing of waste material outdoors at a residence, except as provided under subsection (e), "Exemptions", below.

- (2) No person shall dispose of allowable combustibles from any property by burning them in a burn barrel or incinerator outdoors, except as provided under subsection (e), "Exemptions", below.
- (3) No person shall ignite, or allow to become ignited, allowable combustibles unless using an approved ignition device.
- (4) No person shall ignite, or allow to become ignited, allowable combustibles unless it is a permissive burn day in the air district where the residential waste burning is to take place.

**(d) Compliance Schedule.**

- (1) For the purposes of Section 39666(d) of the Health and Safety Code, the date of adoption of this regulation shall be February 3, 2003.
- (2) Unless an air district adopts an earlier effective date in accordance with section 39666(d) of the Health and Safety Code, the prohibitions set forth in subsection (c), above, shall become effective on January 1, 2004.
- (3) The ARB shall conduct a public education and outreach program with respect to the regulation, the public health impacts of residential waste burning, and available alternatives to burning.

**(e) Exemptions.**

- (1) No exemption from the prohibitions set forth in subsections (c)(1) and (c)(2) is available for an incorporated place in any census zip code or census zip code sub-area.
- (2) Where the population density of the unincorporated area is less than or equal to 3.0 within the boundaries of any census zip code within an air district, the following exemptions apply:
  - (A) dry non-glossy paper and cardboard may be burned.
  - (B) burn barrels or incinerators may be used.
- (3) Where the population density of the unincorporated area is greater than 3.0 but less than or equal to 10.0 within the boundaries of any census zip code within an air district, an air district may file a Request for Exemption to allow the burning of dry non-glossy paper and cardboard, or the use of burn barrels or incinerators, or both, subject to the provisions of (e)(10).
- (4) As part of any Request for Exemption submitted under subsection (e)(3), an air district may create sub-areas within a census zip code where the

prohibitions set forth in subsections (c)(1) and (c)(2) shall still apply, subject to the provisions of (e)(10).

- (5) Where the population density is greater than 10.0 within the boundaries of any census zip code within an air district, an air district may file a Request for Exemption to create sub-areas within a census zip code to allow the burning of dry non-glossy paper and cardboard, or the use of burn barrels or incinerators, or both, subject to the provisions of subsection (e)(10), provided the unincorporated sub-area has a population density of less than or equal to 3.0.
- (6) The prohibition contained in subsection (c)(2) of this regulation shall not apply in any jurisdiction where a local ordinance or other enforceable mechanism is in effect on January 4, 2002 requiring the use of a burn barrel or incinerator to burn allowable combustibles, unless the local ordinance or other enforceable mechanism is subsequently rescinded or revoked.
- (7) No air district shall file a Request for Exemption from subsection (c)(1) to allow the burning of dry non-glossy paper and cardboard if it is prohibited by air district rules in effect on January 4, 2002, or thereafter, or within a geographic area where it is prohibited by a local ordinance or other enforceable mechanism in effect January 4, 2002, or thereafter.
- (8) No air district shall file a Request for Exemption from subsection (c)(2) to allow the use of a burn barrel or incinerator outdoors at a residence if it is prohibited by air district rules in effect on January 4, 2002, or thereafter, or within a geographic area where the use of a burn barrel or incinerator is prohibited by a local ordinance or other enforceable mechanism in effect January 4, 2002, or thereafter.
- (9) On or before May 1, 2003, and every ten years thereafter, the ARB shall provide the air districts with a listing of all incorporated places and the population density within the boundaries of each census zip code contained within each air district.
- (10) Any Request for Exemption by an air district shall be submitted in writing to the ARB on or before August 1, 2003, and every ten years thereafter, and shall include all of the following:
  - (A) a resolution, board order, or other enforceable mechanism adopted by the air district's Governing Board at a formal public meeting approving the Request for Exemption; and
  - (B) a written commitment from the air district to provide information on the hazards associated with residential waste burning, and ways to minimize these hazards, to all persons conducting residential waste burning by using either an air district or appropriate fire protection

agency permit program for residential waste burning, or other equivalent mechanism; and

- (C) to allow the burning of dry non-glossy paper and cardboard where the population density is greater than 3.0 but less than or equal to 10.0 within the boundaries of census zip codes within an air district, a finding by the air district that the exemption is necessary; and
  - (D) to allow the use of burn barrels or incinerators where the population density is greater than 3.0 but less than or equal to 10.0 within the boundaries of census zip codes within an air district, written documentation from the chief fire official with primary jurisdiction over fire safety within the area contained within the census zip code, including references to fire codes (where applicable), that an unacceptable fire risk would occur if the prohibition set forth in subsection (c)(2) for that area remained in effect; and
  - (E) for census zip code sub-areas, documentation showing the population, land area, and population density of each census zip code sub-area and providing specific, enforceable, geographic boundaries; and
  - (F) a list of the specific exemptions requested, for each applicable census zip code and census zip code sub-area, that are included in the Request for Exemption; and
  - (G) a finding that all incorporated places within the boundaries of the census zip code or census zip code sub-area within an air district are excluded from the Request for Exemption; and
  - (H) a finding that the air district considered the health risks to all populated communities that are within exempted areas; and
  - (I) a statement in the resolution, board order, or other enforceable mechanism specifying that there is no air district rule, local ordinance, or other enforceable mechanism that was in effect on January 4, 2002, or thereafter, that would otherwise prohibit the burning of dry-non-glossy paper and cardboard; and
  - (J) a statement in the resolution, board order, or other enforceable mechanism specifying that there is no air district rule, local ordinance, or other enforceable mechanism that was in effect on January 4, 2002, or thereafter, that would otherwise prohibit the use of a burn barrel or incinerator.
- (11) The ARB shall review the air district's Request for Exemption for completeness and approve or reject the Request for Exemption, in writing, within 60 days after submittal.
- (12) If the air district's Request for Exemption is not complete, the ARB shall return the Request for Exemption to the air district for amendment. The air district shall have an additional 30 days to submit a revised Request for Exemption.



- (13) By January 1, 2004, and every ten years thereafter, the ARB shall make available a listing of all census zip codes and census zip code sub-areas within each air district that are exempt in accordance with the criteria specified in subsections (e)(2), (e)(3) and (e)(5) and as approved by the ARB, if required.
  
- (14) (A) Except as provided in subsection (e)(14)(B), all exemptions shall terminate on December 31, 2013, and as appropriate every ten years thereafter, unless renewed by the air district pursuant to the procedures set forth in subsections (e)(10) through (e)(12).
- (B) An exemption provided in accordance with subsection (e)(5) shall terminate on December 31, 2008, and as appropriate every five years thereafter, unless renewed by the air district pursuant to the procedures set forth in subsections (e)(10) through (e)(12).

NOTE: Authority cited: Sections 39600, 39601, 39659 and 39666, Health and Safety Code. Reference: Sections 39020, 39044, 39650, 39655, 39656, 39657, 39658, 39659, 39660, 39662, 39665, 39666, 39669, 39701, 41700 and 41806, Health and Safety Code.

# Agenda Item: 8

**North Coast Unified  
Air Quality Management District**  
707 L Street, Eureka, CA 95501  
(707) 443-3093  
[www.ncuagmd.org](http://www.ncuagmd.org)



**TO:** North Coast Unified Air Quality Management District Board

**FROM:** Brian Wilson, APCO

**SUBJECT:** Accept CARB Woodsmoke Program (YR3) Grant Agreement and Approve Funding in FY 2023-24 Budget

**DATE:** July 20, 2023

**ACTION REQUESTED:** Adopt Resolution 2023-6 Authorizing the APCO to Enter into the CARB Woodsmoke Reduction Program Year 3 Grant Agreement, and to Include These Grant Funds in the District FY2023-24 Operating Budget

**SUMMARY:**

In 2018, the District received \$270,000 in Year 1 funding from the State's Woodsmoke Reduction Program, and in 2020, the District received \$187,815 in Year 2 funding. These funds received have already successfully funded grant applications for over 140 wood stove replacements within the District's jurisdiction.

In order to receive Year 3 program grant funding, CARB requires a renewed Board Resolution that authorizes the APCO to enter into a Grant Agreement with CARB for the Woodsmoke Reduction Program. For the District, the Board will also need to authorize the inclusion of these grant funds into the District's FY 2023-24 Operating Budget.

**BACKGROUND:**

CARB's Woodsmoke Reduction Program is a grant program funded by the State's Greenhouse Gas Reduction Fund (GGRF) from Cap-and-Trade funds. This Program furthers the goals of Assembly Bill 32 and related statutes to reduce greenhouse gas emissions, as well as provide co-benefits in reducing black carbon emissions and improving air quality. Grants targeting reduction in particulate matter are also a key part of the District's long term PM<sub>10</sub> attainment strategy.

The Program is similar to the District's own local replacement program (funded by compliance settlement funds) as the Program is designed to replace high-polluting, uncertified wood stoves, wood inserts, and fireplaces with cleaner burning, more efficient home heating devices (such as EPA certified woodstoves, electric wall heaters,

heat pumps, etc.). The Program is more complex in its requirements, reporting, and insurance requirements, which requires more efforts on the administrator, vendor, and installer. The Program is administered by CARB and implemented by the District in conjunction with CAPCOA. Residents using uncertified wood stoves, wood inserts, or fireplaces as a primary home heating source are eligible for the Program. The incentive amount will vary depending on the location of the residence and the household income, with households in disadvantaged or low-income communities (meeting AB 1550 requirements) and low-income households qualifying for higher incentives.

The District was initially allocated about \$270,000 in Year 1 Program Funding which funded about 73 wood stove replacement grant applications. The District's allocation for Year 2 Program funding was about \$187,815 which also funded about 70 wood stove replacement grant applications. For the Year 3 Program, the District was allocated \$271,440, which again was the largest amount of funding in the state for the third year within the small and rural air districts.

In order to receive Year 3 program grant funding, CARB requires a renewed Board Resolution that authorizes the APCO to enter into a Grant Agreement with CARB for the Woodsmoke Reduction Program. So that the District can receive the funds as income and implement the program, the Board will also need to authorize the inclusion of these grant funds into the District's current FY 2023-24 Operating Budget.

Therefore, Staff recommends adopting of the attached Resolution 2023-6 authorizing the APCO to enter into the CARB Woodsmoke Reduction Program Grant Agreement for Year 3, and to accept and spend the grant funds in the District's current FY2023-24 Operating Budget.

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Air Quality Management District**  
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**Resolution 2023-6:  
State Woodsmoke Reduction Program Grant Agreement Year 3**

**WHEREAS**, the California Air Resources Board (CARB) developed the State Woodsmoke Reduction Program to meet the Legislature's objectives and help further meet the State's goals of Assembly Bill 32 and related statutes to reduce greenhouse gas emissions, as well as provide co-benefits in reducing black carbon emissions, improve air quality, and protect the health, safety, and well-being of California residents; and

**WHEREAS**, the Woodsmoke Reduction Program is part of California Climate Investments, a statewide program that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment – particularly in disadvantaged communities; and

**WHEREAS**, the Woodsmoke Reduction Program is a GGRF-funded program designed to replace high-polluting, uncertified wood stoves, wood inserts, and fireplaces used for primary home heating with cleaner burning, more efficient home heating device; and

**WHEREAS**, there are specific legislative requirements (e.g., expenditure records, quantification methodology, annual reporting, and disadvantaged/low income community investments) of the cap and trade proceeds that the District will need to adhere to; and

**WHEREAS**, the North Coast Unified Air Quality Management District (District) has participated in the Woodsmoke Reduction Program Year 1 and Year 2, and the District would like to continue to provide these incentives to citizens in its jurisdiction; and

**WHEREAS**, the Woodsmoke Reduction Program 2021-2022 (Year 3) will be administered by CARB, and implemented by the District in coordination with the California Air Pollution Control Officers Association (CAPCOA); and

**WHEREAS**, the District has been selected to receive funding from the State's 2021/2022 appropriation to the Woodsmoke Reduction Program.

**NOW, THEREFORE, BE IT RESOLVED**, by the North Coast Unified Air Quality Management District Governing Board (Board) as follows:

- 1) The Board authorizes the APCO on behalf of the District to sign the Grant Agreement with CARB to administer the State Woodsmoke Reduction Program 2021-2022, and to comply with all the requirements of the Grant Agreement; and

2) The Board authorizes the APCO to execute all other necessary documents to implement and carry out the purposes of this Resolution.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date:

# Agenda Item: 9

## Closed Session

**Agenda Item: 10**

**Report Out from Closed  
Session**



# Agenda Item: 11

**North Coast Unified  
Air Quality Management District**  
707 L Street, Eureka, CA 95501  
(707) 443-3093  
[www.ncuaqmd.org](http://www.ncuaqmd.org)



**TO:** North Coast Unified Air Quality Management District Board  
**FROM:** Brian Wilson, APCO  
**SUBJECT:** APCO Report  
**DATE:** July 20, 2023  
**ACTION REQUESTED:** Accept and File

The following information is provided as a summary of items of interest to the Board and District. Staff solicits and appreciates any feedback concerning these items or other items of interest from the Board.

**1. CARB Prescribed Fire Grant Funds Received for 2023**

In 2019, the District began accepting funding from CARB for the Prescribed Fire Program Grant under SB 1260. SB 1260 required CAL FIRE and CARB, in coordination with local air districts, to develop and fund a program, upon appropriation by the Legislature, to enhance air quality and smoke monitoring, and to provide a public awareness campaign regarding prescribed burns. The District has been using these funds to offset Non-Standard burn permits and Smoke Management Plans for prescribed burning, improvements to the online burn permit program, and outreach efforts.

The District continues to remain as one of the top air districts that approves the most prescribed burning (acreage and number of burns) in California. It is also the reason why the District continues to receive the most Prescribed Fire Grant funding. Typically, the District issues about 900-1,000 Burn Authorizations for about 15-20,000 acres burned. For 2023, the District recently received Amendment 1 to the last Grant Agreement for an additional \$160,000 that will need to be expended by 2025. The District will continue using these funds to offset fees for prescribed burning (i.e. fees for Non-Standard burn permits and associated Smoke Management Plans), improvements to the online burn permit program, and public outreach efforts.

**2. CAL FIRE \$20 Million Prescribed Fire Liability Fund**

The use of prescribed fire and cultural burning, sometimes collectively called “good” or “beneficial” fire, is a key component of wildfire risk management in California.

These projects reduce hazardous fuels, help restore ecological and cultural values, and can make communities safer and ecosystems more resilient to wildfire. However, lack of liability insurance for practitioners has been a major barrier to increasing the use of prescribed fire, even as firefighters, fire scientists, at-risk communities, and state, federal, and tribal leaders call for more.

Recently, CAL FIRE announced a first-of-its-kind approach to curbing the state's catastrophic wildfire problem by providing new protections for prescribed fire and cultural burning practitioners (see attached article). The \$20 million allocated for the "Prescribed Fire Liability Claims Fund Pilot" will cover losses in the rare instance that a prescribed or cultural burn escapes control. California Senator Bill Dodd authored the 2022 bill (Senate Bill 926) that made this fund possible. The Prescribed Fire Claims Fund pilot project removes a significant barrier to obtaining insurance for potential damages from a prescribed fire or cultural burn conducted by a certified prescribed fire burn boss or a cultural fire practitioner.

### **3. Staff Training, Workshops, & Symposiums**

Here is a brief list of the main training staff has participated since the last Board Meeting:

- US EPA - *Wildland Fire Research to Protect Health and the Environment* - Debra Harris
- CARB - *CEMS for Inspectors* - David Huffman
- CARB/CAPCOA - *CARB/CAPCOA Incentives Retreat* - Keala Roberts
- Canva - *Canva Create: A Brand New Era 2023 Live Event* - Alexandra Winkler
- National Weather Service - *Storm System Conference* - Alexandra Winkler
- Streamline - *Masterclass: Designing a Site Banner* - Alexandra Winkler



FOR IMMEDIATE RELEASE  
June 19, 2023

**FIRST-OF-ITS-KIND FUND PROVIDES SUPPORT AND PROTECTION  
FOR PRESCRIBED FIRE AND CULTURAL BURNING,  
REDUCING WILDFIRE RISKS IN CALIFORNIA**

(Sacramento, CA) Today, the State of California will roll out a first-of-its-kind approach to curbing the state’s catastrophic wildfire problem by providing new protections for prescribed fire and cultural burning practitioners. The \$20 million allocated for the “Prescribed Fire Liability Claims Fund Pilot” will cover losses in the rare instance that a prescribed or cultural burn escapes control.

California Senator Bill Dodd authored the 2022 bill (Senate Bill 926) that made this fund possible, continuing his many years of leadership on wildfire and prescribed fire-related legislation.

“Prescribed fire is a cost-effective way to minimize the scope and severity of wildfires,” said Sen. Bill Dodd, D-Napa. “It’s a tool that has been used for millennia by Native American tribes and one that will continue to play a big role in wildfire prevention. The rollout of this fund is a big step toward keeping California communities safe.”

The use of prescribed fire and cultural burning—sometimes collectively called “good” or “beneficial” fire —is a key component of wildfire risk management in California. These projects reduce hazardous fuels, help restore ecological and cultural values, and make our communities safer and our ecosystems more resilient to wildfire. However, lack of liability insurance for practitioners has been a major barrier to increasing the use of prescribed fire, even as firefighters, fire scientists, at-risk communities, and state, federal, and tribal leaders call for more.

“The Prescribed Fire Claims Fund pilot project removes a significant barrier to obtaining insurance for potential damages from a prescribed fire or cultural burn conducted by a certified prescribed fire burn boss or a cultural fire practitioner,” said CAL FIRE Director/Chief Joe Tyler. “As we continue to focus on increasing the resiliency of the state’s forests, creating a pathway

for private burn bosses to have the significant protection this claims fund provides is a critical step toward reaching the goals of the Governor’s Wildfire and Forest Resilience Action Plan.”

The fund will provide up to \$2 million in coverage for prescribed fire projects led by a qualified burn boss or cultural practitioner. The fund is meant to demonstrate that prescribed fire, when carefully planned, resourced, and implemented, is a low-risk land management tool that mitigates the larger, more damaging risks of high-severity wildfires. The fund is the first of its kind nationally and is the result of several years of collaboration by a diversity of partners working with Senator Dodd’s Office, including The Nature Conservancy, CAL FIRE, the University of California Cooperative Extension, the California Department of Insurance, Tribal representatives, and many others.

“Launching this program is a key step in scaling ecologically based forest management to reduce the risk of megafires. We appreciate Senator Dodd’s leadership and the expedient work of CAL FIRE and beneficial fire practitioners to develop this fund as the next fire season quickly approaches,” said Dan Porter, The Nature Conservancy’s Forest Program Director.

The fund will also advance cultural burning, helping Indigenous Californians restore their connection to fire.

“Cultural burning is an essential practice to meet diverse objectives, including biodiversity stewardship, ecological health, and community safety. The availability of this pilot fund provides cultural fire practitioners a safeguard against financial risk in the unlikely event of an escaped burn. This is a significant incentive to support revitalization of burning traditions following the legacy of policies banning such practices,” said Don Hankins, Professor of Geography and Planning at CSU Chico and co-founder of the Indigenous Stewardship Network.

This fund is part of a larger vision for restoring beneficial fire across California’s fire-adapted ecosystems. Last year, the state released its [Strategic Plan for Expanding the Use of Beneficial Fire](#), which identified this claims fund as a priority. The state has also rolled out a state-certified burn boss program, changed the liability standard for prescribed fire, and made investments in prescribed burn associations, agency staffing, and other related efforts.

“We are using every tool to protect Californians, including using prescribed fire to fight wildfires,” said Insurance Commissioner Ricardo Lara. “The Prescribed Fire Claims fund will be critical to assisting our tribal groups, nonprofits and private landowners who are leading the way. This is an example of government being innovative and leading by example. The data that we get from the claims fund is going to be essential to our on-going education with insurance companies to support insuring this important work.”

Lenya Quinn-Davidson, Fire Network Director for the University of California’s Division of Agriculture and Natural Resources, says the recent momentum is unparalleled.

“Californians are desperate to have a better relationship with fire, and only with innovative approaches like this Claims Fund will we be able to unleash the good work that needs to happen,” said Quinn-Davidson. “It’s a challenging time to be working on fire in California, but also an incredibly inspiring time.”

More information about the Pilot Prescribed Fire Claims Fund can be found on the [CAL FIRE Website](#) (scroll down), including frequently asked questions and an enrollment form for practitioners.

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# Agenda Item: 12

## Board Member Reports

# Agenda Item: 13

## Adjournment