



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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Tree Mortality Task Force Regulations Working Group Minutes Conference Call: July 1, 2016

- **FAQs** - Board of Equalization-Timber Yield Tax: Rich Wade discussed a few of the comments sent to him regarding the draft FAQ. Finalization will be sent to Matthew Reischman to be distributed.
- **Storage Site:** Mariposa County, PG&E and Caltrans are still working on contracts.
- **Funding:** CAL FIRE reports that the Resource Allocation Working Group has established a sub-group to specifically look at needs of private landowners, where dead trees threaten structures.

Here are some topics to be discussed:

- Identify programs and funding sources which can assist private landowners
 - Develop template programs for assistance to landowners based on financial need or some other qualifying criteria.
 - Develop template programs for sponsor (county, HOA, FSC, etc.) to implement a “block” tree removal program (landowners in a particular area sign up to be part of a single contract to gain economy of scale and reduce move-in, move-out costs)
 - Coordinate work with Utilities and other tree removal programs
 - Educate the public on the above programs
 - Assist local government on right of entry issues to deal with noncompliant landowners for tree removal (mixes a bit with the RWG)
- **Air Quality / Air Curtain Burner Permitting:** Alan reported the Air Districts, ARB and EPA are discussing General Statewide ACI Permit, allowing statewide use, which would allow moving them from county to county, regardless of which air district has jurisdiction.
 - **Governor's ACI Letter of Exemption:** After a very detailed conference call with US EPA and CARB and most air districts in CA, CAPCOA would like to pursue a letter from the Governor requesting that EPA (Region 9) draft a letter to exempt ACI from title 5 requirements. One issue is the regulation actually states the Administrator can "**promulgate regulation**" to exempt facilities; not simply write a letter. There may be other regulations however, that apply and would allow for a letter. There is also some reference to this authority here:

Here's the New Mexico FAQ. Just makes a vague reference (Middle of Page 3).

https://www.env.nm.gov/aqb/permit/documents/ACI_Permittting_Guidance_10Nov14.pdf



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- **8 Week Exemption:** Christa Darlington notes that after the **first 8 week exemption for emergency** use of an air curtain burner without an EPA permit, the owner can apply for a 2nd 8 week exemption. Christa and Alan will coordinate on how to request the 2nd 8 week exemption.
- **Out of State Equipment Use:** The RWG is working to identify the issues and concerns involved with out-of-state equipment being used to assist with tree removal activities. The interest is to explore developing an ARB exemption that would allow the use of the equipment.

Issues to address:

- ❖ Whether the exemption for equipment used is for state and local government, or is it also asking ARB to grant the exemption for private parties to use non-compliant equipment.
 - ❖ Types of equipment proposed for exemption/What would they be exempted from?
 - ❖ Regions where the exemptions are proposed, or is this a statewide exemption?
 - ❖ Notification either at the local or state level would be important
 - ❖ Duration of time-in addition to not creating something that's open-ended.
 - ❖ Availability of local/CA resources and potential economic impacts from out of state resources not required to comply with state law.
 - ❖ It would be helpful to have someone from ARB: 1) give an overview of the existing laws (e.g., I believe there is a 3 month emergency exemption); 2) discuss whether this is sufficient given demand for crews and equipment; and 3) discuss providing further relief.
- **Right of Entry Permit:** Christa has been sharing Tuolumne County model Right of Entry Permit with other County Counsels. This is used for private property owners to allow the County and its agents to enter private property to remove dead trees that threaten public infrastructure.
 - **Next working group call:** Friday 7/15, 9:00-11:00.