



Tree Mortality Task Force Regulations Working Group Minutes

February 17, 2017

9:00 to 11:00 AM

Conference Call Number (707) 576-2048

- I. Regulations Working Group Update/Agenda Additions: No additions
- II. Action Item Discussion

Insurance: The RWG discussed the recent insurance workshop and minutes will be finalized and circulated. Of primary concern is to incorporate local fuel reduction and vegetation treatments into fire risk analysis. Following the workshop CDI provided a legislative concept they would like to share with the TMTF. It is based on a CDI proposal and drafted by their Legislative Counsel. The CDI has been unsuccessfully seeking an author through several meetings with legislators, but to no avail. The CDI is sympathetic to the coverage availability issues many people are experiencing, and hope to gain statutory authority to intercede on the behalf of homeowners caught in the situation where the underwriting review process is limited to a very few high-level measurements (the models' scores) and does not take into account any of the homeowner's actions to mitigate the risk i.e. fuel reduction efforts. The proposed legislative language was circulated to the RWG for review.

The TMTF Counties are coordinating an effort to develop a unified letter to offer various members of the legislature. The hope is to share concerns and seek support. The Counties have asked if there were any working group issues that could be requested or addressed in this letter. The RWG will submit information on insurance as an ongoing issue.

Storage Sites: The RWG discussed active storage site locations. There are 14 sites that have been identified as active. The Mapping and Monitoring group has developed a spreadsheet that needs to be populated with new information and reconciled. Michelle will be reaching out to the counties, PG&E and CalTrans for more specific information on the sites. The RWG discussed the various types of sites being used for log storage. There are various sites representing a variety of uses and no storage site designation process exists. Many log decks are developing, especially on smaller ownerships and could represent fuel hazard issues. Matthew will re-circulate the log storage site information bulletin developed back in January 2016.



The RWG discussed the difference between a Licensed Timber Operator and a licensed contractor under the California Contractors State License Board (CSLB) C-61/D-49 Tree Service contractor's license. Kevin Conway (CAL FIRE) conducted initial research into how a LTO might become licensed under the CSLB and provided the following:

Requirements for a California Contractors State License Board C-61/D-49 Tree Service contractor's license.

1. Submit an Application and \$300 fee
2. Pass a Standard Law and Business Exam
 - a. must have 4 years of experience (per conversation with CSLB personnel, work as an LTO would qualify towards a C-61/D-49 permit)
 - b. There is no specialty examination for the C-61 license.
 - c. Submit the \$180 original license fee (good for 2 years).
3. Post a \$15,000 bond
4. Carry Workers Comp

Exams are given daily in the 8 testing centers throughout the state. The examination sites are located in San Diego, San Bernardino, Norwalk, Oxnard, Oakland, Sacramento, San Jose, and Fresno. You are allowed 3 ½ hours for the exam.

Various study guides are available on the CSLB Guides and Publication page. The first 4 sections of California Contractors License Law & Reference Book - 2017 Edition are a useful resource for the Standard Law and Business Exam. See the CSLB Applying for a Contractor's License website for more information. http://www.cslb.ca.gov/Contractors/Applicants/Contractors_License/

Air Curtin Incinerators (ACI): On Thursday February 16, 2017 USEPA provided a 30 month exclusion from federal Title V air quality permitting. The exclusion will allow the ACIs to remain operating due to the tree mortality emergency. A local air district can request delegation from USEPA to enforce Title V permitting and must demonstrate an ability to enforce the regulations. An air district can demonstrate this ability by developing and adopting a similar set of regulatory rules. The RWG will evaluate this option over the next 30 months in hopes of receiving federal delegation.

CalRecycle indicated ACIs are considered a transformation facility and subject to their permitting authority. The RWG discussed ACI waste products and how they apply to Cal Recycle regulation. Cal Recycle and Cal EPA will continue the discussion to determine the permitting requirements.

Alan Abbs provided the following Transformation facility definition from the CalRecycle website.



Transformation facility: A facility whose principal function is to convert, combust, or otherwise process solid waste by incineration, pyrolysis, destructive distillation, gasification, or to chemically or biologically process solid waste for the purpose of volume reduction, synthetic fuel production, or energy recovery. Transformation facilities do not include biomass conversion or composting facilities. Please see [Title 14, California Code of Regulations, section 18720](#).

- I. Next working group call: Friday 3/3 9:00-11:00.