



# Mendocino County

## Legislation Details (With Text)

**File #:** 21-0224      **Version:** 1      **Name:**  
**Type:** Approval      **Status:** Agenda Ready  
**File created:** 2/2/2021      **In control:** Air Quality Management District  
**On agenda:** 2/23/2021      **Final action:**  
**Title:** Discussion and Possible Action Including Direction Regarding a Paper Entitled Legal Framework of Open Burning in Mendocino County and proposed Amendments to Air District Board Regulation 2 Relating to Open Outdoor Burning (Sponsor: Air Quality Management District)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Mendo AQMD - Legal framework of burning CoCo FINAL FEB 2021, 2. 2-20-21 Pletcher Correspondence, 3. The Regulation of Open Pile Burning board presentation 2-2021

Date	Ver.	Action By	Action	Result
2/23/2021	1	Board of Supervisors		

**To: Board of Supervisors**

**From: Air Quality Management District**

**Meeting Date:** February 23, 2021

**Department Contact:** Barbara Moed

**Phone:** 463 4354

**Department Contact:** Kelly Ford

**Phone:** 463 4354

**Item Type:** Regular Agenda

**Time Allocated for Item:** 1 Hour

**Agenda Title:**

Discussion and Possible Action Including Direction Regarding a Paper Entitled *Legal Framework of Open Burning in Mendocino County* and proposed Amendments to Air District Board Regulation 2 Relating to Open Outdoor Burning (Sponsor: Air Quality Management District)

**Recommended Action/Motion:**

Review paper entitled Legal Framework of Open Burning in Mendocino County and Air District Board Regulation 2. Discuss and direct staff pertaining to proposed amendments to District Regulation 2 and related stakeholder outreach, and direct staff to bring back a draft Regulation 2 for the District Board's consideration in September 2021.

**Previous Board/Board Committee Actions:**

December 8, 2020: Recommended action was for staff to bring "Legal Basis for Burning" paper to the Board in February 2021.

May 2019: District Board directed the Air Pollution Control Officer to work with Fire Agencies and community

partners to identify barriers to fire fuel (Vegetation) Management and develop a plan to streamline AQMD processes that support vegetation management, including investigation of the feasibility of implementing a unified application and payment model for burn permitting.

**Summary of Request:**

District staff would like Board Direction on our plan to work with other stakeholders to develop an improved version of District Regulation 2. The District will work closely with CAL FIRE, the US Forest Service, local fire agencies, and other interested stakeholders such as the Resource Conservation District and Mendocino County Fire Safe Council, to review a proposed set of revised rules, and will include a fee study to determine the associated costs that are needed to maintain the District permit program. The District will restructure Regulation 2 so that it is more clear, investigate which local agencies are capable of doing permitting with the District, and work with CAL FIRE to investigate the most efficient burn permitting process allowed under state law. The District plans to bring a draft Regulation 2 for your consideration, after thorough stakeholder review, to your Board in September 2021.

**Alternative Action/Motion:**

Provide direction to staff.

**Supervisory District:** All

**vote requirement:** Majority

**Supplemental Information Available Online At:**

<http://www.co.mendocino.ca.us/aqmd/district-regulation-2.html>

**Fiscal Details:**

**source of funding:** N/A

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budget clarification:** N/A

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** No

**Agreement/Resolution/Ordinance Approved by County Counsel:** N/A

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**CEO Liaison:** Steve Dunicliff, Deputy CEO

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Atlas Pearson, Deputy Clerk I

Date: February 25, 2021

Final Status: **Direction Given to Staff**

