

**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, November 18, 2021 at 10:30 a.m.,  
Via Internet Teleconference – Zoom Video Conferencing

[Join Zoom Meeting](#)

<https://us02web.zoom.us/j/81279724664>

Meeting ID: 812 7972 4664

Call in option: (669) 900-6833

**PUBLIC ADVISORY:** In accordance with recently enacted legislation, Assembly Bill 361 with Brown Act section 54953(e) and Humboldt County Health and Human Services Recommendation Regarding Physical Distancing for Legislative Bodies, the November 18, 2021 Board Meeting will not have a physical location open to the public. Board Members and members of the public will be teleconferencing into the meeting via Zoom Video Teleconference.

**How to Attend the Meeting:** To maximize public safety while still maintaining transparency and public access, members of the public can attend the meeting at [www.zoom.us](http://www.zoom.us) – Meeting Code **812 7972 4664**

**How to Submit Public Comment:** Members of the public may provide public comment before and during the meeting by sending comments to the Clerk of the Board by email at [esquire@ncuaqmd.org](mailto:esquire@ncuaqmd.org). Such email comments must identify the agenda item number in the subject line of the email. The comments will be read into the record, with a maximum allowance of three minutes (approximately 500 words) per individual comment, subject to the Board Chair's discretion. If a comment is received after the agenda item is heard, but before the close of the meeting, the comment will still be included as a part of the written record of the meeting but will not be read into the record during the meeting.

**Americans with Disabilities Act Accommodations:** Any member of the public who needs accommodations should email the Clerk of the Board at [support@ncuaqmd.org](mailto:support@ncuaqmd.org) or by calling (707) 443-3093. The Clerk will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while maintaining public safety.

## AGENDA

1. **10:30 A.M. Call to Order** Board Chair
2. **Roll Call** Clerk
3. **Changes or Deletions to Agenda** Board Chair

## CONSENT AGENDA

4. **Consider Approving the Consent Agenda, Items for action, 4.1 through 4.4:** The Board may approve the Consent Agenda by single motion in whole or in part with or without further discussion.  
Action Requested: Approve Consent Agenda Items 4.1 through 4.4. Board Chair
- 4.1 By Consent, Approve Minutes of September 16, 2021 Board Meeting
- 4.2 By Consent, Accept and File District Activity Report
- 4.3 By Consent, Authorize Funds in FY2021-22 Budget
- 4.4 By Consent, Approve OE3 Memorandum of Understanding

## REGULAR AGENDA

5. **Public Comment Period** (pursuant to Government Code section 54954.3(a)) Board Chair
6. **Authorization for Continuation of District Board Meetings via Teleconferencing** APCO  
Action Requested: Authorize and direct the Board Clerk and APCO to take all actions necessary to conduct open and public meetings remotely consistent with Brown Act section 54953(e) and other applicable provisions
7. **Calendar of Meetings for 2022** APCO  
Action Requested: Adopt Calendar of Meetings for 2022
8. **Modification of Employee Job Description** APCO  
Action Requested: Approve Proposed Updated Employee Job Description for *Air Quality Inspector*

- |            |                             |                    |
|------------|-----------------------------|--------------------|
| <b>9.</b>  | <b>APCO Report</b>          | <b>APCO</b>        |
| <b>10.</b> | <b>Board Member Reports</b> | <b>Board Chair</b> |
| <b>11.</b> | <b>Adjournment</b>          | <b>Board Chair</b> |

*The next Board of Directors meeting is scheduled for Thursday, January 20, 2022, at 10:00 a.m. Via Internet Teleconference – Zoom Video Conferencing. 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 Regular Meeting of the North Coast  
Unified Air Quality Management District Governing  
Board of Directors Meeting of  
September 15, 2021**

The meeting was called to order by Chair Brett Watson at 10:31 AM via teleconference on Zoom: <https://us02web.zoom.us/j/81279724664>

Meeting ID: 812 7972 4664, Call in option: (669) 900-6833

The meeting location was made available to the public.

**MEMBERS PRESENT:**

Rex Bohn	Humboldt County Supervisor
Chris Howard	Del Norte County Supervisor
Brett Watson	City of Arcata Councilmember
Mike Wilson	Humboldt County Supervisor

**MEMBERS ABSENT:**

Dan Frasier	Trinity County Supervisor
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**STAFF PRESENT:**

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

**OTHERS PRESENT:**

Nancy Diamond	District Counsel
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**Agenda Item 1: Call to Order**

**Agenda Item 2: Roll Call**

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

Staff requested a change to Agenda Item 4.3. This item should read as, "By Consent Approve and File APCO Personnel Evaluation and Addendum #3 to APCO Employment Contract." Board members found no issues with this requested change.

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

4.1: Approve Minutes of the July 15, 2021 Board Meeting

4.2: By Consent, Accept and File District Activity Report

4.3: By Consent, Approve and File APCO Personnel Evaluation and Addendum #3 to APCO Employment Contract

A motion offered by Supervisor Howard, duly seconded by Supervisor Wilson to Adopt as Amended Consent Agenda Items 4.1-4.3 is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 16<sup>th</sup> day of September, 2021 by the following votes:

UNANIMOUS PASS by the following Roll Call vote:

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

There was no public comment.

**Agenda Item 5: Public Comment**

There was no public comment.

**Agenda Item 6: Approve Clarification and Modification to District Observance of New Federal Holiday**

While the approval to observe the Juneteenth holiday in lieu of Columbus Day was provided at the last Board Meeting, it is necessary to approve an amendment to the District Personnel Manual and clarify the effective date. Staff explained that making the change effective immediately would short district staff of one paid holiday for the 2021 calendar year.

A motion offered by Supervisor Howard, duly seconded by Supervisor Wilson to Approve the Proposed Effective Date of January 1, 2022, and Modify the District Personnel Manual is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 16<sup>th</sup> day of September, 2021 by the following votes:

UNANIMOUS PASS by the following Roll Call vote:

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

There was no public comment.

### **Agenda Item 7: Amend Calendar of Meetings for 2021**

Staff provided information about the end date of Executive Order N-8-21 and the impact on our meeting requirements. Staff recommended updating the calendar of meetings to include in-person meeting information.

A motion offered by Supervisor Howard, duly seconded by Supervisor Wilson to Approve the Amended Calendar of Meetings for 2021, Indicating the November 2021 Meeting Will Be In Person Unless the Governor Extends Emergency Orders and Brown Act Exceptions is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 16<sup>th</sup> day of September, 2021 by the following votes:

UNANIMOUS PASS by the following Roll Call vote:

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

There was no public comment.

### **Agenda Item 8: Update on Hearing Board Vacancies**

Staff provided an update of the District's outreach for the open Hearing Board positions.

### **Agenda Item 9: Modification of Employee Job Description**

Due to a promotion, Staff finds it prudent to revise the current Permit Engineer job description and position title. The position will now be titled Air Quality Engineer I/II and the description has been revised to include current job duties.

A motion offered by Supervisor Howard, duly seconded by Supervisor Wilson to Approve Proposed Updated Employee Job Description for Air Quality Engineer I/II is hereby APPROVED by the North Coast Unified Air Quality Management District Board of Directors on this 16<sup>th</sup> day of September, 2021 by the following votes:

UNANIMOUS PASS by the following Roll Call vote:

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

There was no public comment.

#### **Agenda Item 10: Pending CalPERS Changes to Group Insurance Plans for 2022**

Staff provided an update on the CalPERS Group Insurance Plans for 2022, and the changes to plan options. As no action is required by CalPERS to accept these changes, there is no action needed by the Board Members.

Should there need to be a change to the insurance plan offered by the District, Board Members can revisit plan options during future budget discussions so action can be taken during the Open Enrollment Period in Fall 2022.

There was no public comment.

#### **Agenda Item 11: APCO Report**

The APCO reported out on the following:

- Wildfire Smoke Update - this included outreach to county-specific Health Departments and a snapshot of the current smoke outlook
- PM2.5 Sensor Deployment for Wildfires - discussion included tribal outreach and deployment efforts
- Update on PG&E Regular Variance Activity
- District Staff Update

There was no public comment.

#### **Agenda Item 12: Board Member Reports**

There were no Board Member Reports

#### **Agenda Item 13: Adjournment**

The Governing Board Meeting was adjourned at 10:57 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 via teleconference on Zoom at the above date and time.

DocuSigned by: <i>Erin Squire</i>	10/8/2021   12:38 PM PDT
<hr/> ERIN SQUIRE Clerk of the Board	<hr/> Date

The next Board Meeting is scheduled for Thursday, November 18, 2021, at 10:30 am. Location will be dependent on current COVID restrictions and Executive Orders issued by the Executive Office of California. Details to be listed in the Agenda.

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: 4.2

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

**FROM:** Erin Squire, Administrative Assistant

**SUBJECT:** District Activity Report

**DATE:** November 18, 2021

**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.

## 2021 Activity Report

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD Totals	2020 Totals
<b>Complaint Responses - General</b>	1	1	5	1	1	2	4	1	4	5			25	75
<b>Complaint Responses - Open Burning</b>	7	6	12	1	3	11	2	5	9	23			79	198
<b>Permissive Burn Days</b>	31	28	31	30	31	22	4	2	3	27			209	328
<b>Non-Permissive Burn Days ("No Burn Day")</b>	0	0	0	0	0	8	24	29	27	4			92	37
<b>Permissive Burn Days (%)</b>	100%	100%	100%	100%	100%	73.33%	14%	6%	10%	87%				
<b>Standard (Residential) Burn Permits Issued</b>	634	351	379	334	132	67	10	12	17	109			2,045	4,125
<b>Non-Standard Burn Permits Issued</b>	659	341	346	278	74	36	13	0	26	146			1,919	3,092
<b>"No Burn Day" Permits Issued</b>	0	0	0	0	0	0	0	0	1	2			3	0
<b>Smoke Management Plans (SMP) Reviewed</b>	17	15	15	7	0	2	2	3	8	20			89	108
<b>SMP Burn Authorizations Issued</b>	114	76	104	84	35	15	1	0	1	121			551	958
<b>Stationary Source Permit Apps. Received</b>	1	3	5	2	1	6	1	0	3	1			23	27
<b>Stationary Source Permits Issued (new)</b>	3	2	4	2	1	1	0	3	1	1			18	11
<b>Stationary Source Permits Issued (amended)</b>	0	0	0	6	2	0	0	0	1	0			9	15
<b>Inspections - Major Sources</b>	0	0	7	1	0	7	0	1	4	0			20	12
<b>Inspections - Minor Sources</b>	38	13	7	21	6	10	1	0	10	14			120	260
<b>Inspections - Mobile Sources</b>	0	0	0	0	0	0	0	0	0	0			0	13
<b>Inspections - Asbestos</b>	1	0	0	0	0	0	1	0	0	1			3	18
<b>Asbestos Notifications Processed</b>	5	8	2	4	3	3	4	8	3	4			44	73
<b>Notice(s) of Violation (NOVs) Issued</b>	0	3	1	1	0	2	0	3	0	2			12	18
<b>Environmental Documents Reviewed</b>	3	3	5	2	4	5	5	5	2	4			38	227
<b>Grants Paid: Woodstove</b>	1	1	0	0	0	0	0	0	0	0			2	96
<b>Grants Paid: Moyer</b>	0	0	0	1	1	0	0	2	0	0			4	4
<b>Grants Paid: FARMER</b>	0	0	0	0	0	0	0	0	0	0			0	6
<b>Grants Paid: Rural School Bus</b>	4	4	13	6	1	0	1	0	0	4			33	42



## Air Monitoring Report for November 2021

### Air Monitoring Data Summary:

The purpose of this status report is to summarize the ambient air quality data available for the period of July-August 2021.

- There was one Federal Equivalent Method (FEM) PM<sub>10</sub> exceedance of the State Ambient Air Quality Standard recorded during the reported period. This exceedance occurred in Eureka and is associated with wildfire smoke events.
- There was no Federal Reference Method (FRM) PM<sub>2.5</sub> data received for the current reporting period. The data from last month's Air Monitoring Report is included in the table below.
- There were 30 non-FEM PM<sub>2.5</sub> 24 Hour exceedances of the State and Federal Ambient Air Quality Standard recorded during the period. All 30 exceedances occurred in Weaverville and are associated with wildfire events, primarily the Monument Fire.
- There were no O<sub>3</sub>, SO<sub>2</sub>, NO<sub>2</sub>, or CO exceedances of the State or Federal Ambient Air Quality Standard recorded during the period.

### Particulate Levels in Relation to CA Ambient Air Quality Standards

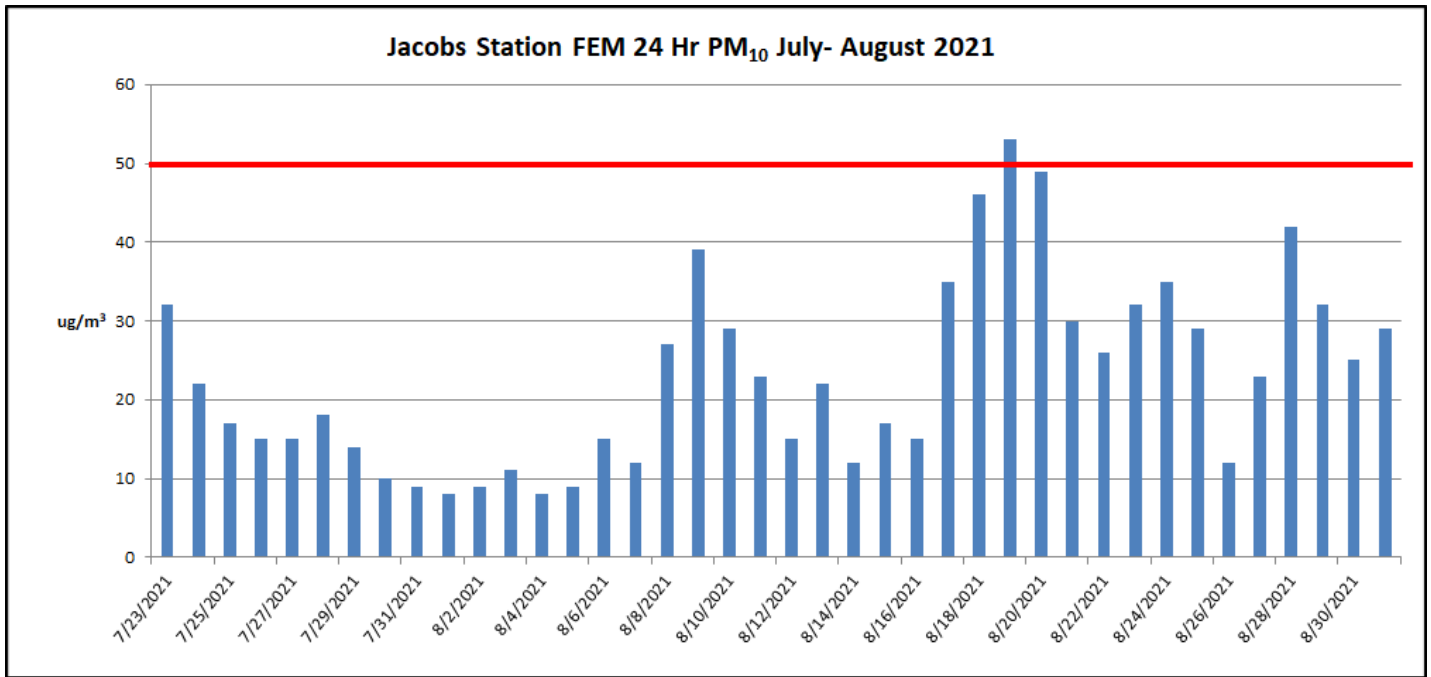
	Jacobs	Crescent City	Weaverville
<b>Max FEM 24-hour PM<sub>10</sub></b> (July-August 2021)	106%**	NA	NA
<b>FEM PM<sub>10</sub> Rolling Arithmetic Mean</b> (September 2020-August 2021)	115%**	NA	NA
<b>Max FRM 24-hour PM<sub>2.5</sub></b> (April-June 2021)	39%	NA	NA
<b>FRM PM<sub>2.5</sub> Rolling Arithmetic Mean</b> (July 2020 – June 2021)	77%	NA	NA
<b>Max non-FEM 24-hour PM<sub>2.5</sub></b> (July-August 2021)	NA	46%*	1960%**
<b>Non-FEM PM<sub>2.5</sub> Rolling Arithmetic Mean</b> (September 2020- August 2021)	NA	78%*	181%**

- Data unavailable

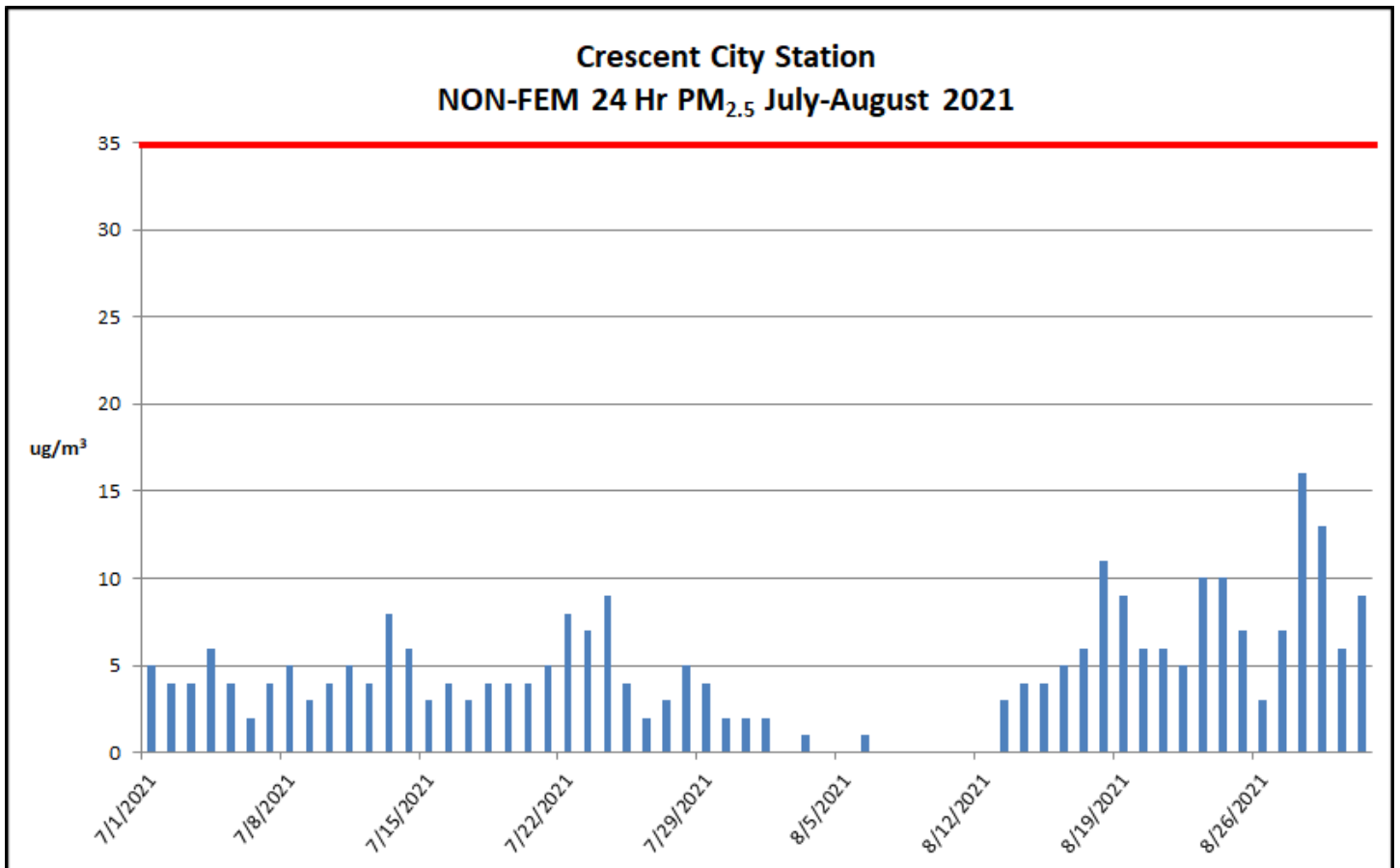
\* Instrument not used for Federal Attainment Designation

\*\* Includes wildfire data which is excluded from attainment designation decisions

Detailed Graphs:

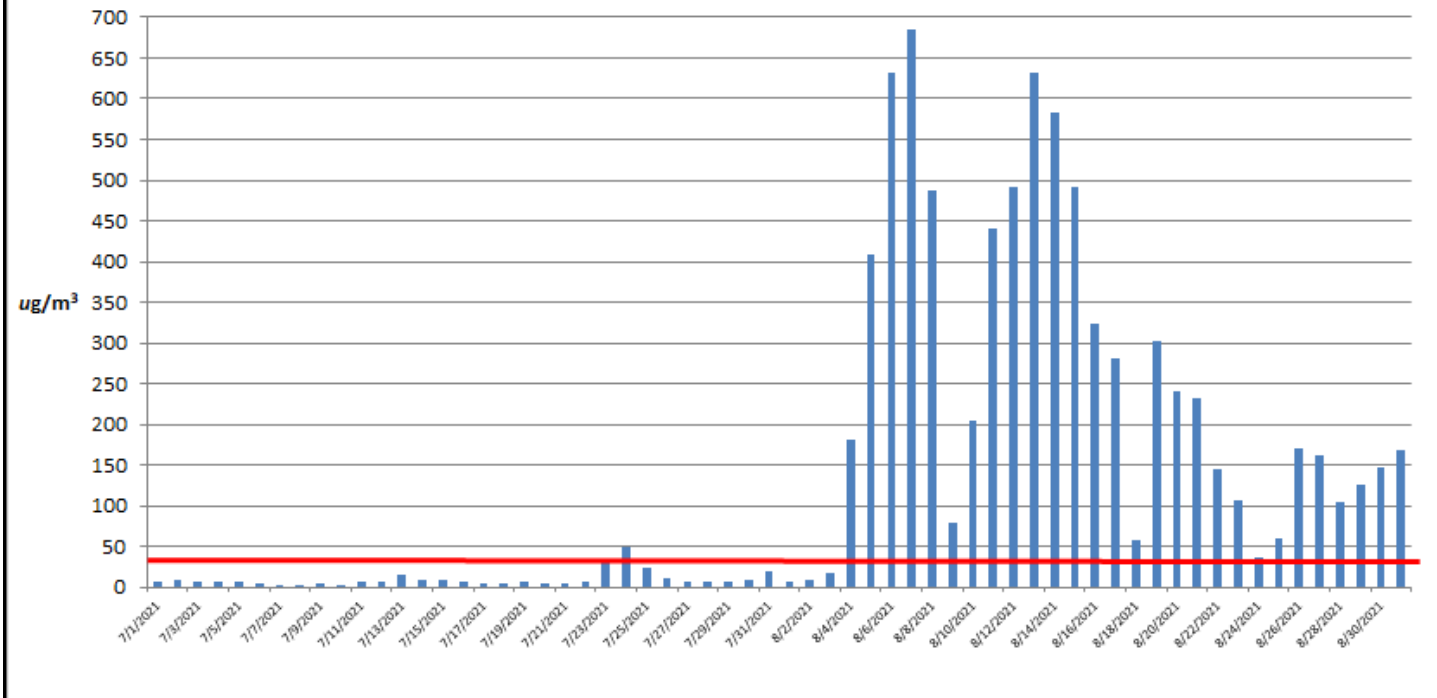


- 24 Hour California AAQS is 50 ug/m<sup>3</sup>, Federal AAQS is 150 ug/m<sup>3</sup>.
- California Annual Arithmetic Mean AAQS is 20 ug/m<sup>3</sup>.
- Humboldt County is classified as non-attainment for this pollutant.



- Federal AAQS is 35 ug/m<sup>3</sup>. There is no separate state standard.

### Weaverville Station Non-FEM 24 Hr PM<sub>2.5</sub> July-August 2021



- Federal AAQS is 35 ug/m3. There is no separate state standard.

# Agenda Item: 4.3

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

**FROM:** Brian Wilson, APCO

**SUBJECT:** Authorize Funds in FY2021-22 Budget

**DATE:** November 18, 2021

**ACTION REQUESTED:** By Consent, Authorize a \$15,000 Transfer from Prescribed Fire Grant Program Funds Held In Reserve to Budget Account #67630, CARB Prescribed Burn Grant Program Expense in the FY2021-22 Budget

**SUMMARY:**

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. In the District FY2021-22 Budget, the Budget Account #67630 was \$10,000 for the CARB Prescribed Grant Program Expense. The District has already received \$143,565 in Year 1 funding that is in the Reserve Fund.

Staff recommends that the Board authorize a transfer of \$15,000 from the Prescribed Fire Grant Program Funds held in reserve for expenditure under Budget Account #67630, CARB Prescribed Burn Grant Program Expense in the FY2021-22 Budget. These additional funds will be spent on prescribed fire outreach efforts.

# Agenda Item: 4.4

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

**FROM:** Brian Wilson, APCO

**SUBJECT:** Approve OE3 Successor MOU, 2021-2023

**DATE:** November 18, 2021

**ACTION REQUESTED:** By Consent, Approve OE3 Successor MOU, 2021-2023

**SUMMARY:**

Operating Engineers, Local No.3 (OE3) currently represents one District employee, and the District has completed negotiations with OE3 for a successor MOU. The attached reflects the District's and OE3's tentative agreement on the successor MOU.

**MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**THE NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT  
AND**

**THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL NO. 3,  
AFL – CIO (GENERAL UNIT)**

**July 1, 2021 – June 30, 2023**



The agreement is effective this First day of July 2021 by and between the NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT (hereinafter referred to as the “District” or the “AQMD”), and the INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL NO. 3, AFL-CIO, (hereinafter referred to as the “Union” or “OE3”).

### **Article 1: Recognition**

1.1 The District has recognized the Union as the representative of the employees in the General Unit for those employees represented by the Union and agrees to meet and confer and otherwise deal with the Union on all matters relating to the scope of representation pertaining to said employees as authorized by law. The classifications included within this Unit are as follows:

- Air Pollution Specialists
- Residential Burn Program Coordinator
- Air Pollution Inspectors

### **Article 2: Management Rights**

2.1 The District retains the exclusive right, subject to, but not limited to those laws, codes, statutes, Acts, regulations, and policies that govern public employment,

- A. To direct employees in the performance of their duties;
- B. To hire, promote, transfer and assign employees, and to determine the procedures therefore;
- C. To classify employees;
- D. To set standards of service;
- E. To determine the methods, means and personnel by which governmental operations are to be conducted;
- F. To discipline employees in accordance with applicable rules;
- G. To dismiss employees because of lack of work or for other reasonable causes;
- H. To determine the mission of its divisions and departments and its budget, organization, the number of employees, and the numbers, types, classifications, and grades of position of employees assigned to an organization unit, work project, shift or tour of duty, and the methods and technology of performing its work;
- I. To take whatever action may be appropriate to carry out its mission in situations of emergency;
- J. To exercise complete control and discretion over its organization and the technology of performing its work; and
- K. To do all other acts not specifically granted to the Union herein.

### **Article 3: Union Membership, Stewards**

#### **3.1. Membership**

Union membership shall not be a mandatory condition of employment for any employee in the Unit covered by this Agreement.

#### **3.2 Stewards**

A. The Union may designate one Steward, and one alternative Steward, consisting of District employees who are members of the Unit, to handle grievances pertaining to this Agreement and meet and confer together with the Union on behalf of the Unit. The alternate Steward, if any, would assume the Steward's duties in the event the Steward is unavailable. The name of the Steward and alternate, if any, shall be given to the APCO.

B. The Steward may investigate and discuss a grievance with a represented employee, and may assist the employee in presenting the grievance if one is filed. The Steward may be, if requested by the employee, in attendance at any meeting where disciplinary action is being presented to any represented employee.

C. The Steward shall spend no more than two working hours per month in the performance of his/her duties as outlined in this Article, unless the specific circumstances of a meet and confer situation require more time, in which case the Steward shall spend no more than a reasonable amount of time involved in the meet and confer.

#### **3.3 Payroll Deductions** (added 2012-2014)

The District agrees to establish payroll deduction for members of the union for the normal and regular monthly membership dues and assessments.

### **Article 4: Employee Rights, Duties, Benefits**

#### **4.1 Salary Adjustment** (revised 2021-2023)

A. Effective the first pay period that includes July 1, 2021, base salary ranges for represented employees shall receive a one-time 3.0% increase to reflect cost of living adjustment.

B. Effective the first pay period that includes July 1, 2022, base salary ranges for represented employees shall receive a one-time 3.0% increase to reflect cost of living adjustment.

#### **4.2 Ancillary Benefits Insurance** (added 2012-2014)

A. Beginning as soon as practical, ancillary insurance as specified in subparts A.1, A.2, A.3, below, shall be provided for represented employees through the Special District Risk Management Authority (SDRMA).

1. DENTAL INSURANCE – Dental benefits shall be provided through the Delta Dental PPO Insurance plan at the level of Medium Plan, Employee +1 Dependent, 100% dependent coverage. The District will pay the 2012 premium cost of \$84.89, where the District’s contribution is fixed at this rate. The employee shall be responsible for costs of additional coverage (as allowed by the Plan), future premium increases, and all deductibles and co-payments. The District shall pay any additional premium through payroll deduction as applicable.
2. VISION INSURANCE - Vision benefits shall be provided through the VSP Vision plan at the level of Option 3, Plan B, In Network, Employee +1 Dependent. The District will pay the 2012 premium cost of \$15.23, where the District’s contribution is fixed at this rate. The employee shall be responsible for costs of additional coverage (as allowed by the Plan), future premium increases, and all deductibles and co-payments. The District shall pay any additional premium through payroll deduction as applicable.
3. LIFE INSURANCE and AD&D - Life Insurance with Accidental Death and Dismemberment through ING Basic Life Insurance shall be provided it the total limit of \$50,000 for the employee only. The District will pay the 2012 premium cost applicable for each employee, where the District’s contribution is fixed at 2012 premium rates. The employee shall be responsible for costs of additional coverage (as allowed by the Plan) and future premium increases. The District shall pay the additional premium through payroll deduction as applicable.

4.3 **Dental And Vision Self Insurance** (revised 2012-2014)

The District’s previous policy of providing up to \$1,000 per fiscal year maximum per employee for dental and/or vision care is terminated effective June 30, 2012. Until such termination date, said \$1,000 is not limited to dental or vision and may be applied toward any medical cost.

4.4 **Personnel Manual** (revised 2014-2015)

It is the intent of the parties to incorporate by reference into this Agreement, without amendment, all applicable rights, duties and benefits of the District and the employees as set forth in the District’s Personnel Manual, adopted on March 28, 1997, revised by the Board on November 29, 2007, and February 16, 2012, and any other amendments that the Board may from time to time adopt after meet and confer with the Union as necessary. In the event of any inconsistencies

between this Agreement and the Personnel Manual, the provisions in this Memorandum of Understanding shall control.

- 4.5 **After Hours Liaison Policy** (revised 2012-2014)  
Effective January 1, 2012, the District's After Hours Liaison Policy is suspended, and terminated by the Board effective February 16, 2012. A one-time payment of \$5,000.00 shall be made to each of the two represented employees who had previously been assigned to work as a liaison in this program. Payment shall be made by separate check by February 24, 2012.
- 4.6 **Safety Shoe/Boot Allowance.** (added 2014-2015)  
The District agrees to reimburse employees covered by this Agreement toward the purchase of safety footwear up to \$200 every two (2) years for Inspectors and \$200 every three (3) years for other represented employees.
- 4.6 **Coordination With Disability Insurance.** (added 2015-2018)  
When applicable, the District will coordinate employee sick leave benefits with worker's compensation benefits and with State Disability Insurance (SDI) pursuant to the provisions in Section XII, State Disability Insurance of the District's Personnel Policy Manual.

## **Article 5: Miscellaneous**

- 5.1 **Entire Agreement**  
This Memorandum of Understanding supersedes any and all other statements of policy or procedure established by this District through its Board of Directors insofar as such provisions relate directly to the matters specifically stated herein. Unless specifically amended by the terms of this MOU, all other terms and conditions of employment remain as previously established.
- 5.2 **Headings**  
The headings in this Agreement are intended solely for the convenience of the parties and do not impart legal meaning to the attached sections.
- 5.3 **Severability**  
Should any provision of this Agreement be found by a court of competent jurisdiction to be contrary to law, such provision will not be deemed valid except to the extent permitted by law, but all other provisions will continue in full force and effect.

## **Article 6: Term of Agreement** (revised 2018-2021)

- 6.1 Upon the ratification of both parties, as indicated by their signatures below, this Agreement shall commence effective July 1, 2021 and shall expire on midnight June 30, 2023.

INTERNATIONAL UNION OF  
OPERATING ENGINEERS  
LOCAL NO. 3, AFL-CIO

\_\_\_\_\_  
Lloyd Green, Steward

Dated: \_\_\_\_\_

\_\_\_\_\_  
Art Frolli, Business Representative

Dated: \_\_\_\_\_

NORTH COAST UNIFIED  
AIR QUALITY MANAGEMENT  
DISTRICT

\_\_\_\_\_  
Chair, Governing Board

Dated: \_\_\_\_\_

Attest:

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

Dated: \_\_\_\_\_

# Agenda Item: 5

## Public Comment Period

# Agenda Item: 6

**North Coast Unified  
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707 L Street, Eureka, CA 95501

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

**FROM:** Brian Wilson, APCO

**SUBJECT:** Authorization for Continuation of District Board Meetings via Teleconferencing

**DATE:** November 18, 2021

**ACTION REQUESTED:** **1)** Ratify a) the continued existence of the Governor's March 4, 2020, state of emergency proclamation due to the COVID-19 pandemic; and, b) the Humboldt County Department of Health & Human Services recommendation to practice physical distancing including conducting virtual meetings of legislative bodies in order to reduce the risk of exposure to COVID-19; and **2)** Authorize the Board Clerk and the APCO to take all actions necessary to conduct open and public meetings remotely consistent with Section 54953(e) of the Brown Act

**SUMMARY:**

At the last Board meeting on September 20, 2021, based on the best information at the time, the Board approve a motion to amend the Calendar of Meetings for 2021, indicating the November 2021 Board Meeting would be in person unless the Governor continued the Covid-19 Emergency Proclamation and Brown Act suspension of in person meeting requirements. In late September, the Brown Act was amended to allow legislative bodies to conduct public meetings through teleconferencing, provided that (1) a proclaimed state of emergency exists; and, (2) state or local officials have imposed or recommended measures to promote social distancing, **or** the legislative body is meeting to determine whether, or has determined that, meeting in person would present imminent risks to health and safety of attendees. The Governor's proclaimed state of emergency remains in effect, and on September 29, the Humboldt County Department of Health & Human Services issued a recommendation that physical distancing strategies continue to be practiced, including meetings of legislative bodies.

The Board's motion made last month does not satisfy the requirements of the new Brown Act provision (Government Code Section 54953(e)) allowing for remote meetings. The Board will have to make emergency health findings for each meeting in order to continue to meet remotely. This is different from the remote attendance provisions that already existed in the Brown Act (Section 54953(a)), in which the video participation information has to be on the meeting agenda and the Board member participating remotely is required



to post the agenda at his/her location, that location must be ADA accessible, and members of the public must be allowed to attend at that location as well. The new Brown Act requirements are in addition to the existing remote attendance provisions, and are effective until January 1, 2024, when they will automatically sunset.

The Board will have to make the following findings (by motion) until one of the two threshold conditions ceases to exist (both have to exist):

- 1) The Board has considered the circumstances of the state of emergency (defined as a state-level proclaimed emergency), and
- 2) The state of emergency continues to directly impact the ability of the members to meet safely in person, or that state or local officials continue to impose or recommend measures to promote social distancing.

It will be recommended in a separate agenda item that follows, that the Board approve a Calendar of Meetings for 2022 where the meeting location is simply the Eureka District office in Humboldt County. Therefore, the Board can simply follow the Humboldt County Health Officer order that recommends social distancing and remote meetings, and thus avoid any confusion for alternative options in Del Norte or Trinity County. Attached is copy of the most recent Humboldt County order.

Therefore, it is recommended that the Board authorize and direct the Board Clerk and APCO to take all actions necessary to conduct open and public meetings remotely consistent Brown Act section 54953(e) and other applicable provisions because: 1) the Governor's March 4, 2020 State of Emergency proclamation due to the COVID-19 epidemic remains in effect, and 2) the Humboldt County Public Health Department continues to recommend that physical distancing strategies be practiced in Humboldt County to the extent possible at gatherings and events, which includes meetings of legislative bodies of local agencies.



Ian P. Hoffman, MD, MPH  
Humboldt County Health Officer  
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**Recommendation Regarding Physical Distancing  
Including Meetings of Legislative Bodies  
Issued: September 29, 2021**

Humboldt County Public Health continues to recommend that physical distancing strategies be practiced in our county to the extent possible at [gatherings and events](#), which includes meetings of legislative bodies of local agencies. This is in line with [current CDC guidance](#). Humboldt County continues to experience [high transmission of COVID-19](#) locally. Physical distancing is an effective measure to reduce the spread of COVID-19, especially when combined with use of face coverings, frequent hand washing, staying home when ill, testing, and vaccination. Virtual gatherings and events, including meetings, are an alternative to in person and do the most to reduce COVID-19 risk.

Virtual meetings of legislative bodies allow for physical distancing recommendations and the virtual participation of agency staff, presenters, and community members in safer environments, with less risk of exposure to COVID-19.

Humboldt County Public Health will continue to monitor local metrics of COVID-19 (cases, hospitalizations, deaths) and the necessity of this recommendation.

Reference:

<https://humboldt.gov/DocumentCenter/View/98811/Gathering---events-PDF>  
<https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/outdoor-activities.html>  
<https://covid.cdc.gov/covid-data-tracker/#datatracker-home>



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Behavioral Health  
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Social Services  
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# Agenda Item: 7

**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:** Calendar of Meetings for 2022

**DATE:** November 18, 2021

**ACTION REQUESTED:** Adopt Calendar of Meetings for 2022

**SUMMARY:**

The calendar of meetings for the Board of Directors needs to be adopted for 2022. Attached for your consideration is the proposed Calendar of Meetings for 2022 which continues with meetings scheduled for every other month on the third Thursday of the month, with an additional meeting in April to accommodate the annual budget process.

At this time, it is proposed to hold the meetings at 10 a.m. rather than at 10:30 a.m. to best accommodate board member attendance. For planning, consistency, and simplicity, it is also proposed that the meetings be held remotely consistent with Section 54953(e) of the Brown Act as long as the Board continues to make the required findings. In addition, it is proposed that the calendar be approved with the meetings to be held at the District office in Humboldt County by default given any unknown complications from the COVID-19 pandemic in the coming months and the present variations in requirements in holding public meetings in the three county jurisdictions.

**North Coast Unified  
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## **2022 Governing Board Meeting Calendar**

**January 20, 2022**

**March 17, 2022**

**April 21, 2022**

**May 19, 2022**

**July 21, 2022**

**September 15, 2022**

**November 17, 2022**

**Board meetings begin at 10:00 am unless otherwise noted.**

When applicable and in accordance with AB 361 & HSC 5493(e), Board meetings will be conducted via Zoom Teleconference due to continuing COVID-19 concerns. Public comments will be accepted by the Board Clerk via email during the meeting and may also be made virtually, at the meeting. There will be no in-person participation for meetings conducted via teleconference.

Please refer to the published agenda for details on how to attend the meeting, either in-person or virtually as applicable.

### **In-Person Meeting Location**

NCUAQMD Office  
707 L Street  
Eureka, CA 95501

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: 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:** Modification of Employee Job Description

**DATE:** November 18, 2021

**ACTION REQUESTED:** Approve Proposed Updated Employee Job Description for *Air Quality Inspector*

**SUMMARY:**

One of the District's two Inspector positions is now currently vacant, and the attached existing job description for Air Pollution Inspector was last revised in 2006. When a position becomes vacant, Staff reviews the job description and recommends updates or revisions as necessary prior to re-filling the position.

The attached proposed updated job description has been modified to better represent the job duties for the position and is attached for review and approval. Current representative duties were also based upon review of other air districts' job descriptions for the associated job duties. The job title has been simply updated to *Air Quality Inspector*, which is more current and characteristic with other air districts than the prior Air Pollution Inspector title. The current employee who presently occupies one of the positions as an Inspector III has also reviewed and supports the changes.

Staff recommends and requests that the Board approve the proposed updated job description for the Air Quality Inspector position.



**Job Description:  
AIR QUALITY INSPECTOR I, II, III**

**GENERAL:**

Under immediate or general supervision of the Compliance & Enforcement Manager, the Air Quality Inspector performs on-site compliance inspections on a variety of sources of air pollution, and conducts investigations of air pollution issues and citizen complaints. The position enforces federal, State, and local District air quality rules and regulations, and performs regular and periodic inspections of minor and major sources (Title V federal operating permits) of air pollution by inspecting process equipment and related air pollution control devices to ensure proper operation and compliance with permit conditions. The Inspector issues and tracks Notices of Violation (NOVs) to sources found in violation of rules and regulations. The position also coordinates with the public and fire agencies in the implementation and enforcement of the District open burning program, and investigates air quality and air pollutant complaints from the public regarding a variety of concerns including excessive dust, odor, and prohibited burning. The Inspector may also be assigned as a lead or provide support for programs or projects,.

**CLASS DESCRIPTION:**

The *Air Quality Inspector I* is an entry level classification, that allows the incumbent to develop journey level knowledge and abilities. The combination and complexity of assignments/inspections increase over time as the incumbent becomes more familiar with District rules and develops a working knowledge of local, state, and federal laws regulating air pollution. Incumbents may advance to the higher level after gaining experience and demonstrating a level of proficiency that meets the qualifications of the higher-level class.

The *Air Quality Inspector II* is the journey level class in which incumbents are expected to independently perform the full scope of engineering assignments such as those related to Synthetic Minor and major source Title V permits. Positions at this level are distinguished from the Air Quality Inspector I level by the performance of the full range of duties as assigned, working independently, and exercising more independent judgment and initiative. Positions at this level receive only occasional instruction or assistance as new or unusual situations arise and are fully aware of the operating procedures and policies of the work unit.

The *Air Quality Inspector III* is the senior journey level class in which incumbents are very experienced and independently capable of performing all aspects of the position. Positions at this level may also be a program manager, provide guidance/oversight to other Inspectors, and may perform some temporary managerial duties as directed in the absence of the Compliance & Enforcement Manager.

**EXAMPLES OF DUTIES:**

The following is an illustrative partial description and is not a comprehensive list of duties:

- Conducts field inspections, evaluations, and investigations of existing and potential air pollution sources; conducts on-site inspections of commercial, industrial, manufacturing, and



agricultural operations for compliance with rules and regulations; conducts periodic verification inspections and surveillance; prepares inspection reports and supporting documentation in a timely manner.

- Performs regular and periodic inspections of minor and major sources (Full Compliance Evaluations of Title V federal operating permits) of air pollution; inspects process equipment and related air pollution control devices to ensure proper operation and compliance with permit conditions; reviews documentation from previous inspections to determine if non-compliance sources have improved conditions; takes corrective action when necessary; performs follow-up inspections as needed to ensure remediation of non-compliant conditions.
- Inspects non-permitted sources to determine if a permit is required and takes appropriate action.
- Prepares field inspection reports, correspondence, emission summaries, statistical summaries, and other documents as required.
- Responds to and investigates complaints by citizen/community members regarding air pollution sources, dust, odor, and open burning; determines nature and extent of problem; prepares documentation of findings.
- Maintains records and prepares reports regarding sources of air pollution, violations, complaints, and other related information; maintains database information for a variety of air quality management programs.
- Interfaces with facility personnel regarding site emissions, permit status, and compliance status with District rules and regulations; explains compliance options when violations occur.
- Coordinates with the public and fire agencies in the implementation and enforcement of the District opening burning program; inspects proposed burn sites and verifies compliance with burn permit conditions and Smoke Management Plans (SMPs).
- Inspects and approves fire training burns in conjunction with the District's Burn Program Coordinator; ensures Asbestos NESHAP issues are addressed.
- Receives and investigates air quality and air pollutant complaints from the public regarding a variety of concerns including excessive dust, odor, and prohibited burning.
- Performs inspections on Portable Equipment Registration Program (PERP) equipment and designated on-road and off-road equipment for compliance with California Air Resources Board (CARB) rules and regulations.
- Performs inspections of construction sites to measure and evaluate fugitive dust and naturally occurring asbestos levels; ensure compliance with dust plans on construction sites.
- Administers or oversees one or more specialized pollution control inspection programs/regulations such as Asbestos NESHAP, Naturally Occurring Asbestos (NOA), Landfill Gas, Oil and Gas, Refrigerant, Diesel Engines, PERP, etc.
- Issues and tracks Notices of Violation (NOVs) to sources found in violation of rules and regulations or non-compliance with open burning regulations; participates in negotiations with violators for voluntary compliance to laws, rules, policies and regulations.
- Recommends appropriate enforcement and settlement actions; prepares draft Settlement Agreements and compliance correspondence; employs District policy to estimate appropriate penalty amounts and follows Mutual Settlement Program guidelines.
- Interfaces and maintains familiarity with the program requirements of the federal High Priority Violator (HPV), and minimum data requirements for federally reportable violations (FRV).
- Learns to perform, observe, and evaluate source tests at permitted facilities; observes source testing at gasoline stations to ensure that testing is consistent with state approved methodologies; verifies that test results are within acceptable parameters and issues notices of non-compliance when necessary; initiates corrective action when results are grossly outside of defined parameters and ensures expedient follow-up inspections to verify remediation.
- Performs visible emission evaluations (VEE) on visible plumes (stack/exhaust, smoke, fugitive dust) for the purpose of determining compliance with air pollution regulations.
- Performs data analysis and necessary calculations needed to determine source compliance, and the amounts and types of pollutants emitted.

- Calculates emissions rates associated with permitted sources; analyzes operational procedures to determine control of emissions; participates in the development of emission inventory.
- Uses basic and complex testing, sampling, and monitoring equipment and instrumentation to measure and evaluate emission rates at locations and facilities.
- Deploys and operates air monitoring equipment as needed or directed for special studies, prescribed burns, wildfires, etc.
- Prepares carefully documented inspection reports; takes photographs for documentation at inspection sites; maintains written and electronic records and prepares detailed reports regarding inspections, violations, complaints, and contacts; documents sources of air pollution, control equipment, methods of operation and related data.
- On call duty as assigned; may participate in compensated after-hour liaison inspections.
- Represents the District before the District Hearing Board or courts regarding violations of District and state air quality control regulations; provides Hearing Board support as necessary including variance application review, variance status tracking, and input and development of District staff reports.
- Provides consultation and interpretation of rules and regulations to individuals, businesses, and consultants regarding permit requirements of District permits and air quality rules and regulations.
- Assist grant incentive programs with onsite verification and inspection reviews of grantee projects at residences, businesses, and other locations to ensure compliance with grant program requirements.
- Acts as a representative of the District in meetings with various federal, state, regional, local agencies, businesses and private organizations and responds to public inquiries regarding complex laws, rules, and regulations; may represent the District in public hearings and other meetings.
- May assist in the training and supervision of other inspectors and District staff.
- Establishes and maintains professional and effective working relationships with the public, industry, state/local agencies, elected and appointed officials, co-workers, and management, and interacts effectively and professionally under pressure.
- Keeps abreast of changes in technology, laws, rules and regulations that may affect areas of responsibility and participates in the development and implementation of new rules, regulations, and guidelines.
- Uses computer software and programs to retrieve emission data, and to ascertain compliance with emission limitations; maintains accurate records and files; performs general administrative/clerical work as required, including but not limited to preparing reports and correspondence, entering and receiving computer data, copying and filing documents, etc.
- Other duties as assigned and as required to fulfill the essential functions of the position.

#### **MINIMUM EDUCATION, EXPERIENCE, AND QUALIFICATIONS:**

- All Inspector classes:
  - Knowledge of basic principles and practices of air pollution control laws, codes, and regulations.
  - Knowledge of current local, State, and Federal air quality rules and regulations.
  - Knowledge of the principles, methods, practices and equipment used to determine, analyze, evaluate and control stationary sources of air contamination.
  - Familiar with the principles of physics, chemistry, mathematics, meteorology, statistics, environmental planning or engineering as they apply to air pollution control and enforcement techniques.
  - Ability to maintain State certification for visible emissions evaluation (VEE).
  - Possess excellent verbal and written communication skills.
  - Analyze, interpret, and apply legislation, laws, regulations, and technical publications related to air quality management.

- Apply scientific methods and principles to recognize and investigate air pollution problems.
- Prepare technical reports, interpret and explain Federal, State, and local policies, procedures, and laws.
- Make written and verbal presentations to professional and civic groups
- Deal with a variety of difficult, different personalities and situations.
- Knowledge of techniques for dealing with a variety of individuals from various socio-economic, cultural and ethnic backgrounds, in person and over the telephone.
- Communicate in public and in private meetings, group discussions and interviews with people of varying technical skills and personalities.
- Ability to deal calmly and constructively with conflict and develop effective resolutions in difficult situations dealing with sources and the general public.
- Ability to establish and maintain cooperative working relationships with staff.
- Ability to promote cooperative relationships with governmental, industrial, and public groups concerned with air pollution control programs.
- Knowledge of basic computer principles and applications; PC, software programs (e.g. Microsoft software packages), spreadsheet, presentation, and database applications, to conduct, compile, and/or generate documents.
- Air Quality Inspector I: completion of a Bachelor's Degree from an accredited college or university in life or physical science with major coursework in chemistry, biology, engineering, environmental science, industrial technology or closely related field, or any combination of training and experience that provides the desired knowledge and abilities.
- Air Quality Inspector II: education and experience of an Air Quality Inspector I, plus three (3) years experience as an Air Quality Inspector I or equivalent; or three years experience in the areas of inspection, investigation, and evaluation; or any combination of training and/or experience that could likely provide the desired knowledge and abilities.
- Air Quality Inspector III: education and experience of an Air Quality Inspector II, plus five (5) years experience as an Air Quality Inspector II or equivalent; or eight years experience in the areas of inspection, investigation, and evaluation; or any combination of training and/or experience that could likely provide the desired knowledge and abilities.
- Possession of a valid California Driver's License.

**DESIRABLE QUALIFICATIONS:**

- Major types and sources of air pollution; purposes and procedures of various public and private agencies involved in air quality.
- Knowledge of US EPA Region IX activities related to air pollution, and experience with national air pollution control laws and programs.
- Design and use of air quality control devices, instruments, equipment and various types of industrial processes
- Knowledge of NSR, PSD, Title V, Toxic Hotspots – AB2588, Vapor Recovery, NSPS, NESHAPs, and other State and federal air quality programs.
- Knowledge of toxic air contaminants and health risk assessment procedures.
- Experience and knowledge of emission inventory concepts, derivation, and inventory calculations; California CEIDARS program.
- Two years of experience serving in a position demonstrating the ability to perform the assigned duties.
- Ability to work well in an environment requiring multi-tasking.

**COMPENSATION:**

The position is paid bi-weekly with a monthly salary range within the Payroll Range 400. Inspector I: Range 400.1 (\$3,542-\$4,319); Inspector II: Range 400.2 (\$4,353-\$5,513); Inspector III: Range 400.3 (\$5,904-\$7,036).

***Salary is commensurate with education and experience.***

**North Coast Unified Air Quality Management District**  
**2300 Myrtle Avenue, Eureka, CA 95501**  
**(707) 443-3093      FAX (707) 443-3099**  
**<http://www.ncuaqmd.org>**



## **Air Pollution Inspector**

Job Description  
(revised January 2007)

**GENERAL** - Under the general direction of the Compliance & Enforcement Division Manager, the Air Pollution Inspector conducts investigations of air pollution issues, citizen complaints and performs inspections on a variety of industrial sources of air pollution. The Air Pollution Inspector enforces Federal, State, and District laws, rules and regulations. The Air Pollution Inspector maintains State certification for visible emission evaluation certification. The Inspector is assigned as a program manager for substantive District programs, including: Burn Program, NOA Program, NESHAPS Programs, Inspection Program, and Complaint Program. The Air Pollution Inspector prepares a number of reports, including, but not limited to, source inspection reports, notices of violations, recommendations concerning civil penalty actions, and prepares and reviews data bases on stationary source continuous emission monitors.

### **PRINCIPLE DUTIES:**

1. Inspects a variety of equipment to determine compliance with air pollution control regulations.
2. Reviews existing permits to assure that sources are operating within district, state, and federal regulations.
3. Conducts Annual Source Inspections.
4. Conducts permit evaluations as assigned.
5. Investigates complaints related to air quality control regulations.
6. Enforces the District's open burning regulations.
7. Issues Notices of Violation, Notices to Comply, Vapor Recovery Tagouts, Warning Letters, Public Complaint Response Letters.
8. Acts as an information source to the public regarding air pollution control activities.
9. Prepares reports and records related to air quality control.
10. Collects samples.
11. Assists when needed in issuing Smoke Management Permits.
12. Assists with coordination of forestry and agricultural burns as needed.
13. Issues Burn Authorization Numbers during the burn season as needed.
14. On call duty as assigned.
15. Special investigations and projects as assigned.
16. Manages and conducts the District vapor recovery and NESHAP Asbestos programs.
17. Confers with other agency and industry officials about measurement and control methods.
18. Appears as an expert witness in court trials or before the District Hearing Board.
19. Assists in the preparation of staff reports to the Board and Hearing Board
20. Other duties as assigned.



This position reports to the Compliance & Enforcement Division Manager.

**QUALIFICATIONS:**

- A bachelors degree from an accredited college or university in Engineering, Environmental Science, Natural Resources, Physical Science or a related field. An equivalent combination of experience and education to allow the incumbent to demonstrate a thorough knowledge of air pollution control is acceptable.
- Two years of experience serving in a position involving compliance activities or experience demonstrating the ability to perform the assigned duties.
- Possess valid California Drivers License.
- Possess or have the ability to obtain and maintain a Visible Emission Evaluation Certificate within 6 months of employment.
- Field experience or training in inspection and investigations of air pollution sources.
- Excellent verbal and written communication skills.
- Ability to deal effectively and calmly in difficult situations dealing with sources and the general public.

**DESIRABLE QUALIFICATIONS:**

- Knowledge of basic air pollution control technologies, including, but not limited to, incineration, baghouses, scrubbers, adsorption and absorption control technologies.
- Asbestos general awareness.
- Understanding of vapor recovery systems.
- Experience with industrial boilers.
- Knowledge of concrete batch plants.
- Experience with dry cleaners.
- Experience with paint spray booth control devices.
- Knowledge of operation of hot mix asphalt plants.
- Ability to think clearly during stressful situations.
- Ability to work well in an environment requiring multi-tasking.

**COMPENSATION:** Salary is commensurate with education and experience. The position is paid biweekly with a monthly salary range of: \$3208 to \$6381 (payroll range 400).

**Payroll Range 400:**

Air Pollution Inspector I	400.1:	\$3208-\$3917
Air Pollution Inspector II	400.2:	\$4113-\$4999
Air Pollution Inspector III	400.3:	\$5249-\$6381

# Agenda Item: 9

**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:** APCO Report  
**DATE:** November 18, 2021  
**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. District Response to COVID-19**

The District continues to take appropriate measures to comply with both the County's COVID-19 orders and guidance in addition to state executive orders and requirements. There have been no health concerns with staff regarding COVID-19. Although flexible work options are available, most of the District staff is working in the office.

**2. 2021 Wildfire Smoke Affects**

The 2021 wildfire season started with minor smoke impacts in eastern Trinity County from the Lava, Salt, and Tennant Fires in Siskiyou County. Then there were daily impacts from the Dixie Fire (Chico area), Knob Fire, Monument Fire, McFarland Fire, River Complex, and McCash fires impacting the three-county jurisdiction with smoke.

Earlier in the year, District staff had coordination meetings with the Public Health Departments and OES staff for Humboldt, Del Norte, and Trinity County. The District contacts the applicable county DHHS staff when the District AQI forecast for a city/community in their county may reach Hazardous conditions. The District can typically provide supplemental monitoring data information in case the Public Health Officer may wish to take additional action.

Since late July, the District has issued almost daily Advisories or Alerts (per the Wildfire Guide for Public Health Officials) via the District's multi-county Air Quality Wildfire Smoke Advisory until the beginning of October when season-ending rains



ended most of the impacts. Attached is an example AQ Advisory from September 2, 2021. This comprehensive AQ Smoke Advisory indicated the Air Quality Index (AQI) levels of concern (Hazardous, Unhealthy, Moderate, etc.) for communities for which there is acceptable forecast information. During wildfire events, AQ Smoke Advisories are updated as conditions change.

Due to the numerous wildfires, the District had portable monitors (EBAMs) deployed at these locations: Crescent City, Orleans, Weitchpec, Hoopa, Willow Creek, Weaverville, Hayfork, Eureka, and Garberville.

The District maintains an email distribution list for sending AQ Smoke Advisory notifications. AQ Smoke Advisories are sent to all media sources, schools and the general public. The District, California Air Resources Board (CARB), and the EPA highly recommend using the EPA's Fire & Smoke Map (<https://fire.airnow.gov>) for air quality smoke impacts and current AQI information. Although there are alternative websites with similar information, this website provides the best information for viewing smoke maps, deployed PM2.5 wildfire monitors, and corrected sensor information. During wildfires, the District website also provides links to the latest and most accurate information available on wildfire smoke impacts and actions to protect yourself from smoke.

### **3. Prescribed Burning**

Since the beginning of October and the lifting of the CAL FIRE burn ban, the District has already issued about 300 burn authorizations and approved almost 7,500 acres burned for October and November.

Also beginning in October 2021, the District has launched an outreach campaign on the benefits of prescribed fire on several radio stations within the jurisdiction. Several 60 second radio spots are intended to educate the public about the benefits of prescribed burning from a variety of different perspectives. The outreach is paid for by state Prescribed Fire Grant funds.

The District presently has two of its own 60 second radio spots that will rotate on the various stations (see attached scripts). The District plans to have other "voices" also join on the benefits of prescribed fire such as representatives from the SixRivers National Forest, CAL FIRE, UC Cooperative Extension Humboldt-Del Norte Counties, Northern California Prescribed Fire Safe Council, Humboldt County Prescribed Fire Safe Council, Humboldt County Prescribed Burn Association, Cultural Fire Management Council, Orleans Mid-Klamath Watershed Council, Hayfork Watershed Research Training Center, and others.

### **4. CARB's New Small Off-Road Engine Regulations (SORE)**

Under AB 1346 recently signed by the Governor, CARB will be required by July 1, 2022, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, as defined by CARB. Those regulations will apply to engines produced on or after January 1, 2024, or as soon as CARB determines is feasible.

Small Off-Road Engine (SORE) regulations affect spark-ignition engines with rated power at or below 19 kilowatts (25 horsepower). The SORE regulations require new engines to be certified and labeled to meet emission standards and other requirements.

Typical equipment types that use SORE include lawn and garden equipment (mowers, riding mowers, chainsaws, weedwhackers, blowers), log splitters, portable generators, and pressure washers. Engines that use diesel fuel and engines that are used in stationary equipment, including standby generators, are not subject to the SORE regulations. Examples of equipment with engines that are and are not subject to CARB's current SORE regulations are identified in the attached SORE Fact Sheet.

## **5. Staff Training**

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

- *CARB - New Programs and Regulations - Chrystal Ales*
- *CARB - Primary Quality Assurance Organization (PQAO) Training - Wendy Caruso & Randy Dickau*
- *Shaw Law Group - COVID-19: Where Are We Now? - Penny Costa*
- *Shaw Law Group & DFEH - COVID Vaccine and Religious Accommodations - Penny Costa*
- *CSDA - Special District Workforce Partnerships - Jason Davis*
- *CARB - Enforcement Symposium - Lloyd Green*
- *Fred Pryor – Online Conference for Administrative Assistants - Katie Thompson*
- *CSDA - 2021 Board Secretary/Clerk Program - Erin Squire*

# North Coast Air Quality Prescribed Burning Radio Spots

## Re: Prescribed Burning Ver1

60 sec

In recent years, California has experienced some of the worst wildfire seasons in modern history, and air pollution from wildfire smoke reached unprecedented levels. Hi, I'm Brian Wilson, the Air Pollution Control Officer for the North Coast Air Quality Management District.

As catastrophic wildfires continue to be a growing concern in California, the use of prescribed burning to reduce hazardous fuels is projected to increase. Prescribed fire, also sometimes called a "controlled burn" or "prescribed burn", is an important tool to prevent and mitigate the impacts of wildfires, including smoke. Prescribed burning is also used to control plant diseases, improve rangeland and wildlife habitats, and restore natural ecosystems.

Prescribed burns are conducted by the US Forest Service, CAL FIRE, State Parks, tribal nations, timber harvest companies, fire safe councils, burn associations, and others.

Because wildfires are unplanned and burn out of control, their smoke impacts are widespread and unpredictable. By contrast, prescribed fires are highly managed, less intense, smaller and slower-moving than wildfires – and for these reasons, they generally produce less smoke.

## Re: Prescribed Burning Ver2

60 sec

Wildfires not only endanger lives and property, but also threaten public health with large emissions of intense smoke. Prescribed fire, also sometimes called a "controlled burn" or "prescribed burn", is an important tool to prevent and mitigate the impacts of wildfires, including smoke. Hi, I'm Brian Wilson, the Air Pollution Control Officer for the North Coast Air Quality Management District.

The North Coast AQMD approves prescribed burns in Humboldt, Del Norte, and Trinity Counties - more than anywhere else in the state; but even more work needs to be done on the landscape to mitigate future catastrophic wildfires.

Prescribed fires are highly managed, less intense, smaller and slower-moving than wildfires – and for these reasons, they generally produce less smoke; but they can still sometimes impact nearby communities. We appreciate the public's tolerance when it comes to smoke from prescribed fire.

Wildfires can typically subject communities to Unhealthy to Hazardous air quality conditions for several weeks on end – but by contrast, prescribed fires may only subject an area to only periods of poor air quality in much shorter duration. Implementing burns when it is safe may, in the long run, mean less of those summers when the air is filled with smoke for months on end.

COMMENTARY

# California's gas lawn equipment ban hits the little guys



BY DAN WALTERS  
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A row of new lawnmowers. Photo via iStock

## IN SUMMARY

A new California law to eliminate gasoline-powered lawn equipment sounds reasonable, but it messes with the lives of small landscapers.

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Gov. Gavin Newsom's signature on [Assembly Bill 1346](#) makes one wonder whether California politicians ever fully understand – or even want to understand – the ramifications of their decisions.

The measure aims to eliminate the sales of gasoline-powered lawn equipment, such as mowers, string trimmers, leaf blowers and other devices, within a few years.

The purpose, it's said, is to eliminate the exhaust emissions from small engines that create smog and contribute to global warming.

The bill's author, Assemblyman Marc Berman, a Menlo Park Democrat, contends that "operating the best-selling, gas-powered commercial leaf blower for one hour emits air pollutants comparable to driving a 2017 Toyota Camry from Los Angeles to Denver. Smog-forming emissions from small engines will surpass those from passenger vehicles this year."

#### Learn more about legislators mentioned in this story



**D MARC BERMAN** +  
State Assembly, District 24 (Los Altos)  
[Expand for more about this legislator](#)

One could add that the gas-powered lawn machines also emit jarring levels of noise.

Under AB 1346, the California Air Resources Board will decide how and when sales of gas-powered devices will be prohibited and it could be as early as 2024. A shift to battery-powered machines presumably would occur as older devices need replacement.

Tools powered by rechargeable batteries are convenient, quiet and relatively inexpensive to operate and make perfect sense for the homeowner. Personally, I've used them almost exclusively for the past quarter century and wouldn't have it any other way.

That said, what's practical for personal use is not necessarily so for lawn care professionals, most of them single persons or small crews, and often immigrants. It's estimated that California has at least 50,000 such microbusinesses.

Mowing a lawn once a week is one thing, but pros do it a dozen or more times a day to keep their families housed and fed. They would have to not only buy the equipment but dozens of batteries and chargers and have the facilities, including sufficient electric power supplies, to recharge those batteries.

Backers of the legislation, a coalition of public health and environmental groups, would let the Air Resources Board figure out the details. There's the possibility of a \$30 million fund to help buy new equipment.

The arithmetic, however, indicates that the proposed conversion would cost much more than that, either borne by the lawn services or taxpayers.

Andrew Bray, vice president of the National Association of Landscape Professionals, told the Los Angeles Times that "a three-person landscaping crew will need to carry 30 to 40 fully charged batteries to power its equipment during a full day's work," adding, "These companies are going to have to completely retrofit their entire workshops to be able to handle this massive change in voltage so they're going to be charged every day."

The larger landscape companies that Bray represents could make the switch and adjust their fees accordingly. But how about the little guys?

A basic array of high-quality, battery-powered lawn tools – a mower, a trimmer and a blower – would cost at least \$1,000. Enough spare batteries

and chargers would at least double the initial cost. So at a minimum, with 50,000 lawn services, the total cost would be \$100 million. The real world cost would likely be a quarter-billion dollars or more.

Even were the state willing to cover replacements, how about the infrastructure that small landscapers, operating out of their homes, would need to recharge their batteries? Would we be putting them through a daunting application process? Would the many undocumented landscapers submit the paperwork?

Newsom and the legislators who voted for this bill may think they are doing the right thing, but did they ever consider that they are messing with people's livelihoods and lives? Nothing in the bill indicates they did.



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## Small Off-Road Engine Regulations Applicability to Off-Road Equipment



### What are the small off-road engine regulations?

Small off-road engines (SORE) are spark-ignition engines with rated power at or below 19 kilowatts (25 horsepower). The SORE regulations require new engines to be certified and labeled to meet emission standards and other requirements.

### What types of equipment use small off-road engines?

Typical equipment types that use SORE include lawn and garden equipment, portable generators, and pressure washers.

### Which engines are not subject to the SORE regulations?

Engines that use diesel fuel and engines that are used in stationary equipment, including standby generators, are not subject to the SORE regulations. Federal law preempts states from regulating new engines which are used in construction equipment or vehicles or used in farm equipment or vehicles, and which are smaller than 175 horsepower. A list of preempt equipment is available at [ww3.arb.ca.gov/msprog/offroad/preempt.htm](http://ww3.arb.ca.gov/msprog/offroad/preempt.htm).

### What are the requirements for wintertime engines?

Engines used exclusively to power products which are used exclusively in wintertime, such as snowthrowers and ice augers, at the option of the engine manufacturer, need not certify to nor comply with certain emission standards for SORE.

### Are any large spark-ignition engines subject to the SORE regulations?

Most large spark-ignition (LSI) engines, which are rated over 19 kilowatts, are not subject to the SORE regulations. However, LSI engines with engine displacement less than or equal to one liter must use the SORE test procedures and meet the evaporative emission requirements in the SORE regulations.

### What about my existing equipment?

CARB does not regulate the use of existing CARB-compliant SORE equipment.

### What about equipment for emergency response?

Pursuant to title 13, California Code of Regulations, section 2403(f), fire and police departments, and other entities that specialize in emergency response may purchase emergency equipment powered by a non-California certified engine only when such equipment with a California-certified engine is not available. A request to purchase emergency equipment powered by a non-California certified engine must be submitted for approval to the Executive Officer.



## Examples of equipment with engines that are and are not subject to CARB's current SORE regulations

SORE used in the following equipment are subject to CARB's current SORE regulations:

- Chainsaws < 45 cc
- Edgers
- Hedge trimmers
- Lawn mowers
- Leaf blowers
- Log splitters
- Portable generators
- Pressure washers
- Riding mowers
- String trimmers

SORE used in the following equipment are not subject to CARB's current SORE regulations:

- Air compressors
- Blade-capable brush cutters/clearing saws  $\geq 40$  cc
- Chainsaws  $\geq 45$  cc
- Chippers
- Light towers
- Pumps  $\geq 40$  cc
- Saws: concrete, masonry, cutoff
- Shredders/grinders
- Stationary generators
- Stump grinders
- Welders

Other equipment not subject to SORE regulations:

- Equipment with engines that use diesel fuel
  - Diesel generators
  - Diesel pressure washers
  - Diesel pumps
  - Diesel riding mowers
- Stationary equipment
- Equipment with LSI engines > 1 liter

# Agenda Item: 10

## Board Member Reports

# Agenda Item: 11

## Adjournment