



**LAKE COUNTY AIR QUALITY
MANAGEMENT DISTRICT**
2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421

Douglas G. Gearhart
Air Pollution Control Officer
doug@lcaqmd.net

Honorable Michael Lunas
Superior Court, County of Lake
255 North Forbes Street
Lakeport, CA 95453

January 13, 2026

Subject: Air Quality Supplemental Grand Jury Response (01-2026)

Dear Honorable Michael Lunas :

This letter serves as a response to the Civil Grand Jury Report 2024-2025 findings presented to the Lake County Air Quality Management District (LCAQMD).

The following is our response to the Findings:

F-1: Communications between LCAQMD and the fire districts back in 2024 resulted in a decision by both parties that the fire districts would no longer be issuing Residential Burn Permits independently of LCAQMD.

AGREE with finding

Clarification: The Lake County Fire Chiefs Association, representing all of the Lake County Fire Agencies sent notice to the LCAQMD that the Fire Agencies would no longer be participating in the cooperative burn permit program. The burn permit program is a LCAQMD regulation which the Fire Agencies assisted with.

F-2: In 2024-2025, LCAQMD entered into an agreement with the six fire districts that all RBPs were to be issued online, in-person, and on the telephone only through LCAQMD.

AGREE with finding.

Clarification: When the Lake County Fire Chiefs Association withdrew from participation in the burn permit program, the agreement for the Fire Agencies to assist with the burn permit issuance that has existed since 2003 was voided, thus returning the permit issuance solely to the LCAQMD.

F-3: There is a difference between the RBPs issued through the LCAQMD website and those issued through the Cal Fire website, which go directly to the fire districts and require purchasers to watch an instructional video on controlled burns before RBP approval. Many of these RBPs are for "exception" burns, and, when the

location is within an SRA or FRA region, watching the instructional controlled burn video is required.

AGREE with finding.

Clarification: CalFire residential burn permits are not issued through the CalFire website in Lake County. Applicants are referred to the LCAQMD. A CalFire residential burn permit is issued automatically, after a LCAQMD residential burn permit is issued through the LCAQMD online burn permit system. The CalFire video is available for all applicants to watch before a residential burn permit is issued. LCAQMD exemption burn permits are not available online. These are issued at the LCAQMD office.

F-4: The fire districts as of 2024-2025 are no longer issuing RBPs to the public but have turned that task over to the LCAQMD. The fire districts will continue to assist LCAQMD with all RBP “exceptions” site inspections through the year as a point of fire mitigation.

AGREE with finding.

Clarification: When the Lake County Fire Chiefs Association withdrew participation in the burn permit program, the permit issuance returned solely to the LCAQMD.

F-5: When Lake County residents obtain a Residential Burn Permit online but actually need an Agricultural Burn Permit instead, they may execute a controlled burn that becomes a break-out burn and will require fire-district emergency intervention and put the County at risk.

AGREE with finding.

Clarification: The online burn permit system lists specific criteria to obtain a residential burn permit, an agricultural burn permit, or a smoke management plan. If an applicant does not provide accurate information when applying for a permit or fails to follow the permit requirements, they are violating CA Health and Safety Code 42303.5, and may cause a “break-out” or loss of control. The difference between a residential burn permit and an agricultural burn permit primarily is the size of the burn pile. Fire safety and ability to manage the fire is a requirement of both permits. Failure to do so is a misdemeanor, and may result in fines, jail time, and/or reimbursement of Fire Agency response costs (CA H&SC 42400.6). A “break-out” is not a result of the type of permit obtained, it is the result of not complying with the permit conditions.

F-6: The signage on the LCAQMD building/facility in Lakeport is difficult to see

from the access road due to positioning, sign size, and size of lettering, causing difficulty in locating it for the residents traveling there.

AGREE with finding.

Reflective address signs have been installed and visible to both directions of traffic.

F-7: It was not possible to talk to someone in-person or by telephone when contacting LCAQMD to obtain a Residential Burn Permit, between October 11–November 22, 2024, due to no staff when our juror visited or called LCAQMD.

AGREE with finding.

Clarification: The LCAQMD phone lines provided by AT&T were intermittently non-functional and took several months for AT&T to fully repair the lines. The LCAQMD had alternative contact information posted online, with the County of Lake, Fire Agencies, and others to minimize the impacts of the AT&T line issues.

F-8: There have been staffing problems at LCAQMD since mid-2024.

AGREE with Finding.

F-9: The APCO of LCAQMD had 2.8 employees and needed 6 employees.

AGREE with finding.

F-10: The fire districts reported dealing with the LCAQMD computer system as frustrating, inefficient, and prone to repeated malfunctioning, break-downs, lapses in operation, problems with pop-ups, and overall failing to work consistently. These problems, while reported to LCAQMD, remain unsolved.

DISAGREE partially with finding.

Explanation: The LCAQMD took over the online burn permit system established and previously operated by the South Lake County Fire Protection District in fall 2024. No changes to the system occurred prior to the 24/25 burn season. Upon LCAQMD operation of the system, operational issues were corrected by the programmers within days of discovery. Additionally, during the 24/25 burn season, the Fire Agencies were not participating in the burn permit program and were referring burn permit applicants to the LCAQMD office for assistance. The Fire Agencies were not assisting applicants during the 24/25 burn season, so the facts related to this finding may relate to prior issues which have since been resolved. Additionally, the online burn permit system is disabled during the burn ban. Once the burn ban was lifted, over 1,850 permits were issued through the

online burn permit system during the 24/25 burn season, thus showing the online burn permit system is successful.

F-11: Fire districts support residents with smaller than 1-acre parcels utilizing controlled burn “exceptions” for their necessary burns.

AGREE with finding.

Fire Districts do not issue “exemption” burn permits anymore as they have withdrawn participation in the burn permit program. The special case “exemption” burn permits are issued by the LCAQMD. Residential Exemptions are available for specific cases where there is a need that cannot be met by any other means.

F-12: The APCO of LCAQMD is not in favor overall of “exception” burns because of problems they cause with air-quality parameters, despite the fact that Lake County residents need to be able to utilize “exception” burns.

DISAGREE wholly with finding.

Explanation: Issuance of an exemption permit is determined by legal requirements that must be met. Impacts of burning on small residential parcels have historically be a source of significant complaints and public health concerns.

F-13: Fire districts prefer that residents who need to utilize “exception” burns obtain RBPs on the Cal Fire website so the request can be reviewed initially by a fire specialist, instead of purchasing the RBP for an “exception” burn on the LCAQMD website.

DISAGREE wholly with finding.

Explanation: The CalFire website does not issue residential burn permits in Lake County, the applicant is referred to the LCAQMD burn permit site. The LCAQMD Burn Permit site communicates with the CalFire system so the applicant obtains both the LCAQMD Burn permit and the CalFire RBP through one application process. Exemption permits require contacting the LCAQMD for details and issuance. No exemption permits are issued online.

F-14: Public referrals to alternative debris-disposal methods that appear on the Residential Burn Permit application under ‘Alternative Vegetation Disposal Methods’ contain information that is incorrect.

DISAGREE wholly with this finding.

Explanation: The referrals listed on the residential burn permits for information

were accurate. The referrals on the permit state: ‘Composting and Chipping Information.’ and ‘Refuse Service & Green Waste Pickup Information’. These are informational contacts, not referrals for services provided. These were provided for applicants to have contacts to entities that can provide information about alternatives to burning, they do not necessarily provide any services. The LCAQMD has removed these references from our permits to prevent further confusion.

F-15: The combined efforts of, and open lines of communication between, the fire district staff and offices and LCAQMD staff and offices are required to assure the safety of all controlled burns by County residents.

AGREE with finding.

F-16: The APCO of LCAQMD needs to attend the monthly meetings of the six fire protection districts to facilitate open lines of communication.

DISAGREE wholly with finding.

Explanation: The LCAQMD maintains open lines of communication with the Fire Protection Districts. The APCO attends meetings upon request or invitation.

F-17: With RBPs now under the jurisdiction of LCAQMD, whose office is located in Lakeport, the public may need additional “satellite sites” around the Lake where they may connect with LCAQMD via internet, telephone, or in-person representatives for help with RBPs, permits of any kind and other important help and information. These could take the form of kiosks, libraries, or local businesses/agencies who can assist the public with LCAQMD products and services.

DISAGREE wholly with finding.

Explanation: The LCAQMD has made the online burn permit system available anywhere that has internet access. The online burn permit system works on cell phones, tablets, and computers. Any agency that has internet access can assist the public in obtaining a burn permit. Currently all Lake County library locations have computers and internet access where the public can obtain a burn permit. Applicants can also call the LCAQMD and be helped over the phone.

F-18: The Residential Burn Permit Application Form is in need of many changes, which are discussed in detail in this report, including suggested changes to the permit “WARNINGS.”

DISAGREE partially with finding.

Explanation: Burn permits have legal requirements and specific legally enforceable language incorporated into them, so changing the legal language of permits is not feasible. The LCAQMD will evaluate incorporating clarifications into the online permit system to be implemented with the next major system upgrade.

While the District is unable to implement all Findings and Recommendations, we appreciate the Civil Grand Jury's hard work in preparing this report, and share a commitment to ensuring residents are well served by the LCAQMD.

Sincerely,



Douglas Gearhart, APCO

CC: Lake County Air Quality
Management District
Board of Directors