

1 **BOARD OF DIRECTORS**
2 **LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT**
3 **STATE OF CALIFORNIA**

4 **RESOLUTION AMENDING RESOLUTION NO. 2025-113 REPEALING SECTIONS 631,**
5 **12.450, 12.640, CHAPTER IV AND ARTICLE VI IN THEIR ENTIRETY, AND ADOPTING**
6 **UPDATES TO SECTIONS 208.2, 226.5, 433.5, 1002, 1105, A NEW CHAPTER IV, AND**
7 **ARTICLE VI SECTIONS 660-668 OF LAKE COUNTY AIR QUALITY MANAGEMENT**
8 **DISTRICT RULES AND REGULATIONS**

9 **RESOLUTION NO. _____**

10 **Whereas**, California Health & Safety Code (“H&SC”) Sections 40702, 42311, 42311.5,
11 41512.5, 42364, 44380, and 40726 authorize the Lake County Air Quality Management District
12 ("District") to adopt a fee schedule to recover the reasonable regulatory costs of the District's programs;
13 and

14 **Whereas**, historically the District has not achieved the goal of 100 percent cost recovery and has
15 insufficient fee revenue to cover the costs of the District’s programs; and

16 **Whereas**, CalFire processes, Federal regulations, Federal Environmental Protection Agency
17 (EPA) requirements, California Ambient Air Quality Standards, and California Health and Safety Code
18 requirements have all been amended to apply new District standards which must be incorporated into the
19 District’s compliance programs; and

20 **Whereas**, it is the intent of the District Board of Directors to provide financial stability for the
21 District and reduce the insufficiency between fee revenues and the costs of the District regulatory
22 programs through an increase in fees; and

23 **Whereas**, the District held a noticed workshop regarding the updating of the fee schedule on
24 June 10, 2025; and

25 **Whereas**, in response to feedback from the public as well as the District Board of Directors,
26 District staff prepared several implementation schedules for existing permitted sources. These were
27 discussed during noticed workshops on July 15, 2025 and July 22, 2025; and
28

1 **Whereas**, the District Board of Directors, in accordance with the provisions of California H&SC
2 Sections 40725 and 40726, held a noticed public hearing on September 9, 2025 to consider the Proposed
3 Rule Amendments; and

4 **Whereas**, the District Staff prepared and presented, pursuant to the requirements of
5 California Health & Safety Code Section 40727.2, a staff report through which it provides findings that
6 the Proposed Rule Amendments would not be in conflict with any Federal, State, or other rules (“Staff
7 Report”; See Exhibit A; and

8 **Whereas**, the District contracts with the County of Lake Community Development
9 Department (CDD), whenever possible, to assist the District in meeting its obligations under the
10 California Environmental Quality Act (CEQA) as the lead CEQA agency pursuant to Section 21067,
11 15050, and 15051 of the CEQA Guidelines (Title 14 of the California Code of Regulations); and

12 **Whereas**, the District Board has independently reviewed and considered the entire CEQA
13 record, including the information in the Proposed Rule Amendments, public testimony, written
14 comments received, and the Staff Report, which are incorporated herein by reference.

15 **Whereas**, based on the findings provided in the Staff Report dated September 2, 2025, District
16 staff recommended the following:

17 1. That the District Board of Directors repeal District Rule Sections 631, 12.450, 12.640,
18 and Chapter IV, Article VI in their entirety; and

19 2. That the District Board of Directors adopt the Proposed Rule Sections 660-668; and

20 3. That the District Board of Directors adopt the Proposed Rule Amendments to Sections
21 208.2, 226.5, 433.5, 1002, and 1105; and

22 **Whereas**, the District has determined that a need exists to adopt the Proposed Rule
23 Amendments to address clarity, transparency, and ensure compliance with regulations; and

24 **Whereas**, The District has determined that it has the authority to adopt and implement
25 regulations to control nonvehicular air pollution, and to execute the powers and duties imposed upon the
26 District through the Proposed Rule Amendments. (California H&SC Sections 40000, 40001, and
27 40702), and
28

1 **Whereas**, the District has determined that the Proposed Rule Amendments are in harmony with
2 and not in conflict with or contradictory to existing statutes, court decisions, and State and Federal
3 regulations.

4 **Whereas**, the District has determined that the Proposed Rule Amendments do not impose the
5 same requirements as any existing State or Federal regulations, and are necessary and proper to execute
6 the powers and duties granted to and imposed upon the District as the agency with authority to control
7 air pollution emissions in the Lake County Air Basin.

8 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

9 Resolution 2025-113 is hereby amended as follows:

10 a. The following provision is hereby added to Resolution No. 2025-113:

11 10. The Air Pollution Control Officer shall provide an annual update to the District Board
12 of Directors during the District draft budget hearing the quantity of new operating
13 permits issued, renewal permits issued, and dropped permits for the prior year.

14 b. Section 66034 of Exhibit C to Resolution No. 2025-113 is hereby amended as follows:

15 **Section 660.34: Category XXXIV - National Emissions Standard for Hazardous Air**
16 **Pollutants (NESHAP) - Asbestos Notification and Review Fee**

17 Fee paid is for each NESHAP Asbestos Notification and Review submitted, or for a sign-off
18 request. All regulated demolitions and most renovation projects are subject to asbestos
19 inspections and notification to the District. Notifications must be renewed annually if work is
20 not complete. Notification is required for each structure and/or each unit in a multi-family
21 housing unit that will be demolished or renovated. The Fee covers a structure up to 3,000 square
22 feet; larger structures incur additional per square foot fees to cover the additional review and
23 inspection time required. The Hourly Rate Fee is incurred when additional research is required or
24 if the Notification is incomplete.

NESHAP - Asbestos Notification and Review Fee		
Demolition and/or Renovation Notification and Review Fee: Covers a structure up to 3,000 square feet. Fee is per structure or per residential unit for multi-family structures	Fee	Hourly Rate
No asbestos present - Notification is required	\$ 750.00	\$ 125.00
Asbestos present - < 260 linear feet, 160 square feet, or 35 cubic feet, notification required	\$ 1,250.00	\$ 125.00
Asbestos present - \geq 260 linear feet, 160 square feet, or 35 cubic feet, notification required.	\$ 1,750.00	\$ 125.00
Additional Fee for structures > 3,000 square feet, per each additional 3,000 square feet when notification is required.	\$ 625.00	\$ 125.00

Except as specifically modified herein, all other provisions of Resolution No. 2025-113 shall remain in full force and effect.

THIS RESOLUTION WAS PASSED AND ADOPTED by the Board of Directors of the Lake County Air Quality Management District, State of California, at a regular meeting thereof on September 9, 2025, by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

ATTEST: SUSAN PARKER

Clerk of the Board

By: _____

APPROVED AS TO FORM:

Lloyd C. Guintivano

County Counsel

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS

By_____

Chairman, Board of Directors