AGENDA

1. INTRODUCTION OF NEW TASK FORCE MEMBER - Tim Dobbs

2. CONSIDERATION OF LETTER FROM BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT (BCAQMD) BOARD AND PROPOSED CITY COUNCIL STAFF REPORT.

At its meetings on 8/18/08 and 10/6/08, the Sustainability Task Force reviewed information provided by the BCAQMD staff regarding incorporating the Board’s model Air Quality Element into the City’s General Plan Update and also reviewed a list of air quality priorities. On 12/11/08, the BCAQMD Board reviewed a proposal from District staff to implement Rule 208, which would prohibit the use of any wood burning devices in the City Urban Area on poor air quality days. The Board did not pass the Rule and is requesting that the City review and provide comment on the proposed measures. The Task Force will review the attached letter dated 12/17/08 from the Air Board, and also the draft agenda report to Council for consideration on 1/20/09.

3. REPORT FROM THE AD-HOC COMMITTEE REGARDING ESTABLISHING SUSTAINABILITY GOALS AND INDICATORS FOR THE CITY’S 2030 GENERAL PLAN UPDATE.

At its 12/1/08 meeting, the Task Force reviewed examples of sustainability indicators and discussed the Task Force’s role in developing goals and indicators for the City’s 2030 General Plan Update. The Task Force forwarded this discussion to the Ad-Hoc Committee, which met on 12/15/08. The Task Force will discuss its review of sustainability indicators from other jurisdictions, and its work on preparing the attached draft matrix of potential indicators for each of the 2030 General Plan guiding principles and elements.

4. BUSINESS FROM THE FLOOR

Members of the public may address the Committee at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The Committee cannot take any action at this meeting on requests made under this section of the agenda.

5. ADJOURNMENT – The meeting will adjourn no later than 5:00 p.m.

ATTACHMENTS:

12/17/08 BCAQMD Letter and Rule 208
Draft 1/20/09 City Council Agenda Report
Draft Sustainability Indicator Matrix

Distribution available in the office of the City Clerk:
Prepared: 12/30/08
Posted: 12/30/08
Prior to: 5:00 p.m.

Chico City Clerk’s Office
411 Main Street, Chico, CA 95928
(530) 896-7250

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Members:
Jason Bougie  Tom DiGiovanni  Tim Dobbs  Chris Giampaoli  Ken Grossman
Amelia Gulling  Jon Luvaas  Dr. Scott G. McNall  Jim Pushnik  Tami Ritter
Ann Schwab, Chair  Jim Stevens  Scott Wolf  Julian Zener
REPORT IN BRIEF:

As requested by the City Council, the Sustainability Task Force reviewed the information regarding Butte County air quality issues and related health concerns presented by the Butte County Air Quality Management District (BCAQMD) and Dr. Gary Incaudo. In addition, the Task Force reviewed the letter dated 12/17/08 from the BCAQMD Board Chair requesting that the City Council consider the Board’s proposed Rule 208, which would prohibit the use of wood burning devices on poor air quality days.

Recommendation:

The Sustainability Task Force recommended (7-2-4) Council approval of the following:

1. That the City Council direct the General Plan team to consider implementing the list of the six air quality priority projects suggested by the BCAQMD staff and detailed below.

2. That the General Plan Team consider incorporating the BCAQMD’s “Smart Growth Checklist” into the General Plan and CEQA process, but that it be modified to potentially reward well-planned projects.

3. That the City Council submit a letter to the District Board requesting that the Board continue its “Check before you Light” voluntary no-burning program, and move forward in implementing the proposed priority projects within the District. The Task Force is also requesting that the Board take the lead in establishing a regional Air Quality Mitigation Fee Program for the entire sub-basin.

FISCAL IMPACT:

The fiscal impact is unknown at this time since the recommendation is to investigate the feasibility of implementing the air quality priorities. Staff will provide the costs, if any, to Council after review and selection of the priorities for implementation.

BACKGROUND:

At its 6/17/08 meeting, the City Council considered information provided by the BCAQMD and Dr. Gary Incaudo regarding air quality issues in Butte County. In particular, BCAQMD presented information regarding health concerns caused by air pollutants, identification of major contributors of pollutants in Butte County, the District’s air quality programs, and suggestions on how the City of Chico can help to mitigate the health risk and bring the County into compliance with mandated Federal and State air quality standards.

The Council requested that the Sustainability Task Force review the issues and make recommendations to the Council.

In addition, the BCAQMD Board considered Rule 208 proposed by Air Quality Board staff which would prohibit the use of any wood burnings devices, included certified units, on poor quality days as determined by the District at its meeting on 12/11/08. Homeowners without natural gas service, or who use wood burning as a soul source of heating would be exempt from this Rule. The Rule would also not apply during power outages. The Board declined to adopt this Rule and, since it would primarily affect the City of Chico, requested that the City Council provide its position on proposed measure. A copy of a letter dated 12/17/08 from the BCAQMD Board chair and a copy of the proposed Rule 208 is attached as Attachment “A”.

DISCUSSION:

The Sustainability Task Force reviewed the information provided by the BCAQMD and the 12/17/08 letter at its
meetings on 8/18/08, 10/6/08 and 1/5/09. BCAQMD informed the Task Force that they have prepared a model Air Quality Element and requested that the City consider incorporating the model in the City’s General Plan Update. The BCAQMD also recommended that the City consider implementing the following list of air quality priorities:

1. Require air quality impacts for all projects subject to CEQA be reviewed and fully mitigated in accordance with the most current (January 2008) CEQA Air Quality Handbook. A copy of a “Smart Growth” checklist from the BCAQMD’s CEQA Air Quality Handbook that the Board will use when reviewing projects is attached as Attachment “B”.

2. For those projects found to have unavoidable air quality impacts, require the project to provide additional on-site mitigations or pay an off-site mitigation fee into a mitigation fund. The fund could be administered either by the City and/or the Butte County Air Quality Management District. Projects funded would result in emission reductions for the specific pollutant exceeding the District’s CEQA thresholds.

3. Incorporate the January 2008 Model Air Quality Element into the City’s General Plan as a stand-alone element or into existing elements as appropriate.

4. Provide incentive funding to encourage the replacement of existing non-EPA certified wood stoves with Phase II certified or gas units.

5. Implement woodstove and fireplace measures as recommended by the District Board or as determined by the City. Measures to be considered include; mandatory upgrade of existing wood stoves and fireplaces to EPA Phase II technology or cleaner at time of sale, upgrades during remodeling, or adoption of a City-wide upgrade ordinance.

6. Traffic signalization to reduce idling.

The Task Force reviewed the City’s current General Plan air quality element and compared it to the BCAQMD’s model plan. The City’s Planning staff informed the Task Force that work has not yet begun on preparing the Air Quality Element for the 2030 update of the General Plan, but that staff intends to include information from the BCAQMD model element in the City’s element. The Task Force also reviewed what other jurisdictions are doing to control wood burning stoves and fireplaces (See Attachment C).

The Task Force approved to recommend that the City Council direct the General Plan team to consider implementing the six proposed priorities projects, and approved the following additional recommendations:

1. That the General Plan Team consider incorporating the BCAQMD’s “Smart Growth Checklist” or a modified version into the General Plan and CEQA process to reward well-planned projects, and to investigate the feasibility of establishing a tiered fee mitigate air quality impacts of future projects.

2. That the Task Force submit a letter to the BCAQMD Board requesting that the Board continue its “Check before you Light” voluntary no-burning program, and move forward in implementing the proposed priority projects within the district, particularly mandating that wood burning stoves be upgraded to meet air quality standards upon the resale of a home and that the Board take the lead in establishing a regional Air Quality Mitigation fee for the entire sub-basin.

Reviewed by:           Approved by:

Dennis Beardsley, General Services Director  David Burkland, City Manager

DISTRIBUTION:
City Clerk (18)
Sustainability Task Force (13)
Jim Wagoner/Gail Williams, BCAQMD (2)

ATTACHMENTS:
Attachment A: BCAQMD 12/17/08 letter and Rule 208
Attachment B: BCAQMD CEQA “Smart Growth” Checklist
Attachment C: Matrix of Wood Stove Control Measures
December 17, 2008

Mayor Ann Schwab  
Chico City Council  
P.O. Box 3420  
Chico, CA 95927

Dear Mayor Schwab:

Over the last year the Butte County Air Quality Management District (District) has been evaluating various measures to reduce fine particulate matter pollution from woodstove and fireplace use, in order to meet State and federal health based air quality standards. Health studies have linked exposure to fine particles 2.5 microns in diameter and smaller, referred to as PM 2.5, to serious respiratory and cardiovascular conditions. Wood smoke is a significant source of PM 2.5 pollution during winter months, leading to exceedances of the federal 24 hour standard.

At its December 11th, meeting the District’s Board considered proposed new Rule 208, Mandatory Wood Burning Curtailment Periods, which would affect only the Chico Urbanized Area (enclosed). Rule 208 would prohibit the use of any wood burning device on poor air quality days, as determined and announced by the District. Exemptions to the rule were included for homeowners without natural gas service, homeowners using wood heat as their sole source of space heating, and use during power outages. Rule 208 would be effective November 1, 2009.

Our Board declined to adopt Rule 208 at this meeting. Since Rule 208 would primarily affect the City of Chico, our Board requests the position of the Chico City Council on this proposed measure.

Questions regarding this request should be directed to Jim Wagoner, Air Pollution Control Officer, at 891-2882 ext. 102.

Sincerely,

Maureen Kirk  
Chair  
Butte County Air Quality Management District Governing Board of Directors

cc: Dave Burkland, City Manager (w/ Rule 208 Board Agenda Report)
Date of Release: December 04, 2008  
Board Consideration: December 11, 2008

To: Butte County Air Quality Management District Board of Directors

From: W. James Wagoner, Air Pollution Control Officer  
Staff Contact: Gail Williams, Senior Air Quality Planner  
Armen Kamian, Air Quality Compliance Specialist II

Re: Public Hearing to Consider the Adoption of proposed Amendment to Rule 207, Wood Burning Devices and proposed new Rule 208, Mandatory Wood Burning Curtailment Periods

ISSUE:
Proposed rules to reduce fine particulate matter (PM2.5) from residential wood combustion.

RECOMMENDATION:
Following a Public Hearing;


DISCUSSION:
Proposed amendments to Rule 207, Wood Burning Devices and proposed new Rule 208, Mandatory Wood Burning Curtailment Periods were presented to your Board for review and comment at the October 23, 2008 Board Meeting. Staff released the staff reports for these rules on November 3, 2008 and conducted three workshops in Chico, Paradise and Oroville. The workshops were not well attended (workshop sign in sheets attached) but comments were received and discussed. Written comments received are also attached to this report. Overall, comments received continue to favor voluntary measures rather than regulations to reduce PM2.5. The public generally understands the health impacts and would like to find a reasonable resolution. Those living in the Chico city limits tend to support more restrictive regulations, while those in the foothills and rural areas of the county do not support restrictions on wood burning. Many of those attending the workshops continue to feel that public information is not being well published by either the District or the media.

After the public workshops and comments which were received, staff recommends the following:

1. Adopt amendments to Rule 207, Wood Burning Devices as proposed in the November 3, 2008 staff report and with the addenda as indicated on the December 4, 2008 proposal attached.

Agenda Item 6

Attachments:
- Comments received from October 2008 to date.
- Workshop Sign in Sheets and Summary
Proposed New Rule 208 Mandatory Wood Burning Curtailment Periods
(Draft 10/16/08)

1 APPLICABILITY: This Rule shall apply to all High Wood Smoke Areas within Butte County, as defined herein.

2 DEFINITIONS: Except as noted below, the definitions of Rule 101 Definitions and Rule 207 Wood Burning Devices shall apply.

2.1 Curtailment Period means any period so declared to the public by the Air Pollution Control Officer (APCO) when a negative impact to public health is anticipated in a High Wood Smoke Area, resulting from ambient PM 2.5 levels forecast by the APCO to exceed 41 micrograms per cubic meter (ug/m^3), averaged over a 24 hour period.

2.2 High Wood Smoke Areas means those communities where the Governing Board of the Butte County Air Quality Management District has determined that residential wood combustion contributes significantly to monitored exceedances of the state or federal 24-hour PM 2.5 standards. The following areas are defined as High Wood Smoke Areas:

2.1.2 The Chico Urbanized Area as defined by Census Bureau Urban Area Criteria – Federal Register: March 15, 2002 (Volume 67, Number 51) with subsequent amendments.

2.3 Solid Fuel means any wood, wood-based product, non-gaseous or non-liquid fuel, including but not limited to: manufactured logs, wood or other pellet products. This does not include solid fuel used in cooking food, such as charcoal.

3 REQUIREMENTS: Effective November 1, 2009, during the months of November through February, no person shall operate (combust wood or solid-fuel products in) any wood burning device in a High Wood Smoke Area during a curtailment period.

4 EXEMPTIONS

4.1 This rule shall not apply to any person who operates a wood burning device in a High Wood Smoke Area where natural gas service is not available, as determined by the gas utility service to an area or household. A person may qualify for this exemption even though propane fuel is available for space heating purposes.

4.2 This rule shall not apply to any person in a High Wood Smoke Area where electrical power service is not available (which includes temporary
service outages), as determined by electrical utility service to an area or household.

4.3 This rule shall not apply to any person in a High Wood Smoke Area whose only source of heat for residential space heating is a wood burning device. A person claiming this exemption cannot have use of another form of functioning space heating.

5 ADMINISTRATIVE REQUIREMENTS

5.1 The APCO has sole authority over determining compliance with the requirements of this rule.

5.2 The burden of proof of eligibility for an exemption pursuant to paragraph 4.3 is on the claimant, including whether the situation is temporary or permanent.
which is contained in, and is an integral part of, the body of the appliance.

**Wood Burning Device** means any fireplace, free standing fireplace, fireplace insert, wood stove, or other wood heater, that burns wood or any other nongaseous or nonliquid fuels, or any similar device burning any wood used for aesthetic or space-heating purposes in any interior space private residence or commercial establishment, having a heat input less than one million British thermal units per hour.

**Wood Heater** means an enclosed, wood-burning appliance capable of and intended for space heating that meets all of the following criteria:

2.29.1 An air-to-fuel ratio in the combustion chamber averaging less than 35-to-1 as determined by tests specified in Section 6.1.

2.29.2 A usable firebox volume less than 20 cubic feet.

2.29.3 A minimum burn rate less than 5 kg/hr.

2.29.4 A maximum weight of less than 800 kg. For the purpose of this Rule, fixtures and devices that are normally sold separately, such as flue pipe, chimney and masonry components that are not an integral part of the appliance or heat distribution ducting do not count as part of the appliance weight.

2.30 Zero Clearance Fireplace means any factory-built fireplace designed to be installed into wood-frame construction.

### 3 REQUIREMENTS

#### 3.1 Public Awareness Requirements

3.1.1 Each retailer shall supply public awareness information with each sale of a wood burning device in the form of pamphlets, brochures or factsheets on the following topics:

3.1.1.1 Proper operation and maintenance of wood heaters;

3.1.1.2 Proper sizing of wood heaters;

3.1.1.3 Proper fuel selection and use and the importance of using seasoned wood;

3.1.1.4 Weatherization methods for the home;

3.1.1.5 Proper fuel storage to maintain low moisture content;

3.1.1.6 Health benefits from low-emission wood burning devices.

3.1.2 Retailers may use pamphlets prepared by the Butte County Air Quality Management District (DISTRICT), the California Air Resources Board, or industry, subject to the Air Pollution Control Officer's (APCO) approval.

#### 3.2 Installation of Wood Burning Devices in New or Existing Dwelling Units

3.2.1 No wood burning device for which a building permit application is
Smart Growth Principles

The Butte County Air Quality Management District (District) is encouraging smart growth principles within the county to promote more livable communities and reduce the emission impacts of development.

The objective of smart growth is to build successful communities by incorporating many of smart growth’s principles. New development adds value to the existing community. Localities get the most from their investments. Residents have a variety of transportation choices – walking, biking, transit, and driving – to get to convenient amenities (e.g., schools, shops, restaurants, and libraries) and jobs located close to their homes. A mix of housing and neighborhood types meets the needs of couples, singles, families, and seniors.

Towards this end the District has formed the smart growth checklist as a simple way to raise awareness and provide information to the decision makers and the public on how a development project reduces its environmental impacts. This checklist will be submitted on large development projects (EIR’s) along with specific District comments during the CEQA review process. There is no minimum threshold that needs to be achieved. The rating for a project is based upon the number of smart growth principles incorporated into a proposed project. The maximum points possible are 100.

It should be noted that a project may implement all the Smart Growth Principles and still exceed the District’s threshold of significance wherein the decision makers may decide to prepare a “Statement of Overriding Considerations”. In this case, a smart growth project can show is has considered all reasonable measures of reducing the project’s significant air quality effects to the maximum extent feasible. See also District CEQA Handbook, Chapter 5).

### Smart Growth Checklist

<table>
<thead>
<tr>
<th>Smart Growth Checklist</th>
<th>Credit/Possible</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Mix land uses</td>
<td>/20</td>
</tr>
<tr>
<td>□ Provide a range of transportation choices</td>
<td>/20</td>
</tr>
<tr>
<td>□ Create walkable communities</td>
<td>/10</td>
</tr>
<tr>
<td>□ Create a range of housing opportunities and choices</td>
<td>/10</td>
</tr>
<tr>
<td>□ Take advantage of compact building design</td>
<td>/10</td>
</tr>
<tr>
<td>□ Strengthen and direct development toward existing communities</td>
<td>/10</td>
</tr>
<tr>
<td>□ Foster distinctive, attractive communities with an enhanced sense of place and quality of life</td>
<td>/10</td>
</tr>
<tr>
<td>□ Preserve open space, farmland, natural beauty, and critical environmental areas</td>
<td>/10</td>
</tr>
<tr>
<td><strong>Total Points</strong></td>
<td>/100</td>
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</table>

<table>
<thead>
<tr>
<th>Project Name:</th>
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<tr>
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<tr>
<td>Date:</td>
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<tr>
<td>District Reviewer:</td>
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<td>Total Points:</td>
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### APPENDIX D  Potential Control Measures

#### TABLE 1

<table>
<thead>
<tr>
<th>Air District</th>
<th>PM2.5 Design Value&lt;sup&gt;1&lt;/sup&gt;</th>
<th>Rule</th>
<th>Mandatory Solid Fuel Burning Curtailment</th>
<th>Prohibition of Exceeding Visible Emission Limit</th>
<th>Sale, Transfer &amp; Installation of Used Devices</th>
<th>Criteria for Devices in New Building Construction</th>
<th>Criteria for Devices in Existing Construction&lt;sup&gt;2&lt;/sup&gt;</th>
<th>Requirements for Sale of Seasoned Wood</th>
<th>Incentive Programs</th>
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<td>San Joaquin Valley</td>
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<td>South Coast</td>
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<td><strong>Butte County&lt;sup&gt;3&lt;/sup&gt;</strong></td>
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<td>Sac- Metro Air District</td>
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<td></td>
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<td>421&lt;sup&gt;5&lt;/sup&gt;</td>
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<td>Feather River&lt;sup&gt;6&lt;/sup&gt;</td>
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<td>Bay Area</td>
<td>39</td>
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<td>X (for remodels only)</td>
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<td>Great Basin&lt;sup&gt;7&lt;/sup&gt;</td>
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<td>431</td>
<td>X</td>
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<td>X</td>
<td>X</td>
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In December 2006, the U.S. EPA lowered the 24-hour PM2.5 standard from 65 micro grams per cubic meter (ug/m3) to 35 ug/m3

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1. PM2.5 design value is based on data collected from 2004-2006 3yr average 98th percentile
2. Placer County Rule requires retrofit upon sale or transfer of real property effective January 2012
3. City of Chico within the Butte County Air District
4. Rule 417 is an existing rule governing wood burning criteria other than no-burn restrictions.
5. Rule 421 is a rule solely affecting mandatory no-burn restrictions.
6. The combined cities of Yuba City/Marysville within the Feather River Air District
7. UC = Great Basin – counties of Alpine, Inyo and Mono are unclassifiable areas due to incomplete data

Updated 8-19-08
### General Plan Guiding Principles and Sustainability Indicators

**1. Planned and Balanced Growth and Conservation.**

- a.
- b.
- c.
- d.
- e.

**2. Healthy Environment with a Reduced Ecological Footprint.**

- Air Quality
- Greenhouse Gas Emissions
<table>
<thead>
<tr>
<th>General Plan Guiding Principles and Sustainability Indicators</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3. Strong Local Economy with Diversified Employment Base and Reliance on Local Business</strong></td>
<td></td>
</tr>
<tr>
<td>a. Grow locally owned businesses</td>
<td></td>
</tr>
<tr>
<td>b. Increase the number of jobs available</td>
<td></td>
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<tr>
<td>c. Grow businesses that compliment or use local resources (i.e. Smuckers)</td>
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<tr>
<td>d. Recruit and promote locally owned banks and reinvestments</td>
<td></td>
</tr>
<tr>
<td>e. Encourage businesses and back to offer/accept &quot;scripts&quot; or local debit cards</td>
<td></td>
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<tr>
<td>f. Promote cooperative or shared services</td>
<td></td>
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<tr>
<td>g. Reduce the cost of doing business in Chico</td>
<td></td>
</tr>
<tr>
<td>h. Encourage or incentivize outside contractors to use local labor and materials</td>
<td></td>
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<tr>
<td>i. Conserve productive or prime soil ag land</td>
<td></td>
</tr>
<tr>
<td>j. Develop and train skilled workforce</td>
<td></td>
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<tr>
<td>k. Develop affordable or &quot;work force&quot; housing</td>
<td></td>
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<tr>
<td>l. Develop wages based on a cost of living index (Santa Monica example)</td>
<td></td>
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<tr>
<td>m. Promote &quot;green&quot; businesses and institutions</td>
<td></td>
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<tr>
<td>n. Increase economic diversity in both numbers and types of jobs</td>
<td></td>
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<tr>
<td>o. Reduce unemployment rate</td>
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**MATRIX OF SUSTAINABILITY INDICATORS FOR CHICO 2030 GENERAL PLAN**

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<thead>
<tr>
<th>General Plan Guiding Principles and Sustainability Indicators</th>
<th>Target</th>
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<tr>
<td>p. Research capturing on-line service taxex/revenues</td>
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<tr>
<td>Water</td>
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<tr>
<td>Solid Waste/Recycling</td>
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<tr>
<td>Energy</td>
<td></td>
</tr>
<tr>
<td>5. Enhance Chico’s Character and Identity.</td>
<td></td>
</tr>
</tbody>
</table>
7. **Development Patterns that Offer Alternatives to Automobile Use.**

   a. Promote cooperative and shared services (i.e. child care facilities)
   
   b. Decrease per capita vehicle miles traveled
   
   c. Increase number of bike lanes, paths and routes (priority on Class I) % increase in miles
   
   d. Increase safe routes to schools/destinations
   
   e. Reduce travel time
   
   f. Promote higher housing densities along transit corridors
   
   g. Use more efficient transit routes and vehicles
   
   h. Increase in peripheral parking lots (i.e. park and rides) that connect to transit Provide incentives to employees/students to use alternative transportation (i.e. require busing for Form 10 students)
   
   i. Improve connectivity between neighborhoods and development
   
   k. Increase number of neighborhood parks
   
   l. Develop a clear and reinforced urban boundary
### General Plan Guiding Principles and Sustainability Indicators

**Target**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Community Design</th>
<th>Transportation</th>
<th>Sustainability</th>
<th>Economic Development</th>
<th>Noise</th>
<th>Parks Public Facilities and Services</th>
<th>Open Space and Environmental Conservation</th>
<th>Safety and Safety Services</th>
<th>Downtown</th>
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<tbody>
<tr>
<td>m. Develop more neighborhood cores</td>
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<td>n. Install more bike racks and diversify the styles and locations</td>
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<td>o. Install more public water fountains to encourage biking and pedestrians.</td>
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<td>p. Install more bus shelters</td>
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<td>q. Increase the urban forest</td>
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<td>Provide safer sidewalks and more pedestrian and bike friendly street lighting</td>
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<td>r. (i.e. reduce glare)</td>
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<td>s. Use ground level solar lighting on sidewalks and pedestrian corridors</td>
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<td>Develop incentives or disincetive to increase the use of alternative transportation</td>
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<td>t. Encourage businesses to provide delivery services or incentives to not drive to their stores/locations.</td>
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8. **Performance Based Service Standards and Resource Allocation for Sustainability.**

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9. **Social Services and Systems for All Chico Residents.**