

Natural Resources Commission
Minutes
November 24, 2008

Commissioners:

Present: Herman Boschken, Charles Ehrlich, Doug Fetterly, Brook Gale,
Jennifer Holman (Vice-Chair), Adrienne Kandel, Mark Lubell (Alternate),
Dean Newberry

Absent: Kris Kordana (Planning Commission Liaison) (excused)

Staff: Sue Gedestad, Operations Administrator
Bob Weir, Public Works Director

Council Liaison: Stephen Souza (absent)

1. Roll Call

2. Approval of Agenda

Agenda was approved by consensus with the following revision: pulled Item 7A and moved to Item 11.

3. Approval of Minutes of July 28th and September 22, 2008

Minutes of **October 27, 2008** were approved by consensus.

4. Commission and Staff Announcements

Jennifer Holman reminded Woodburning Subcommittee Commissioners that she was not a part of the Woodburning Subcommittee and therefore should not have been copied on emails sent between the subcommittee members. She reinforced Brown Act issues/concerns associated with emails.

5. Council Liaison Comments

Not present

6. Public Communications: None

Consent Calendar

7. **A. Long Range Calendar**
Action: Removed and discussed as regular agenda item #11. This item was not reviewed at the end.
- B. NRC 2009 Meeting Dates**
Action: Accepted
- C. 2009 Staff Contact on Environmental Issues**
Action: Accepted

Regular Calendar

8. **Draft Woodburning Ban and Restriction Ordinance**
Sue Gedestad opened discussion with a review of the staff report, highlighting the Staff Recommendations section. From this introduction Commissioners made comments and then opened discussion to the public. Seven citizens expressed their interest in the issue. (Two were in favor of an ordinance restricting exposure and five were in opposition of the ban and 6-hour time limit until such time as the science proves the need.)

Following public comment, the Commissioners discussed the 3 options in front of them. Discussion included:

- reason for 6-hour limitation on burning;
- enforcement limitations;
- allowance of using open hearth fireplaces on windy days;
- possible testing of non-EPA certified appliances to see if they meet today's air quality standards;
- special permission for people with older ultra efficient wood heaters;
- to grandfather or not to grandfather in existing appliances;
- some Commissioner opposition to the City promotion of new stove purchases via enhanced incentives to change-out non-approved wood burning units to another wood burning appliance until the data is in and a final decision is made as to the City's position on woodburning; and
- possible moratorium on new installation permits until a decision has been reached;

Motion was moved by Dean Newberry, seconded by Charles Ehrlich to accept Option 2 with the following revisions to item 3:

- Move ban date for open hearth fireplaces from March 31, 2009 to March 31, 2010;
- Change permit from annual to 1-time.

Option 2 summarized:

1. Beginning January 1, wood burning will only be allowed on “Allowable Burn Days” defined as a forecasted average regional PM2.5 of 25 ug/m3 or lower and a forecasted average wind speed from 6 PM to midnight of 5 mph or greater.
2. Wood burning will be allowed a maximum of 6 hours per day per residence and only burning of seasoned dry wood is allowed.
3. Beginning March 1, 2009, burning is only allowed in EPA Phase II-Certified stoves or pellet stoves, and an annual permit is required (for law enforcement and educational purposes).
4. This proposed ordinance does not pertain to any appliances fueled by natural gas or propane and/or designed and exclusively used for cooking purposes. Exemptions are allowed for temporary breakdowns of other heat sources and for power outages.

Motion passed 5 to 2. Brook Gale and Herman Boshken voted in opposition.

Brook Gale wanted to make sure that the staff report would accompany the ordinance to the City Council.

Additionally, Commission wanted a separate motion calling for air quality data collection before ordinance implementation and one year after ordinance implementation with a measured evaluation process following to determine impact of ordinance. Motion was moved by Charles Ehrlich, seconded by Jennifer Holman and approved unanimously.

9. Greening of the Resale Ordinance

Due to conflict of interest, both Charles Ehrlich and Dean Newberry excused themselves from the meeting.

Greg Mahoney, Assistant Building Official, presented a menu of options that may be available for encouraging the “greening” of existing homes. The examples presented were from The City of Berkeley and Build It Green. The Commission made the following comments:

- Balance cost, time and effectiveness
- Look at energy per square foot
- Energy needs to look at performance
- Prescriptive seems like an easier method

10. Review & Approve 2009 Environmental Recognition Award (ERA) Timeline and Flier

After a couple of questions, the Commission approved flier and timeline.