



Agenda Date: 7/12/2005  
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Set Time: 10:30 AM  
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## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Cathy Gruenhagen for Hillary Gitelman - Director of Conservation, Development, & Planning  
Building Inspection  
**REPORT BY:** Hillary Gitelman, Director, 253-4805  
**SUBJECT:** Woodsmoke

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### **RECOMMENDATION**

Discussion and possible action to direct staff to prepare an ordinance amending the County's building and construction regulations (County Code Title 15) to regulate the new construction or replacement of woodburning appliances. (Supervisor Wagenknecht)

### **EXECUTIVE SUMMARY**

Supervisor Wagenknecht has requested that staff of the Conservation, Development, and Planning Department work with County Counsel's staff to prepare a draft ordinance regarding wood burning appliances (e.g. wood burning stoves and fire places), and undertake related discussions with interested stakeholders. Because this task was not specifically called-out in the Department's work program for Fiscal Year 2005-2006, the Director of Conservation, Development, and Planning is seeking direction from the full Board prior to undertaking this work effort.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

**ENVIRONMENTAL DETERMINATION:** The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

Supervisor Wagenknecht has requested that staff of the Conservation, Development, and Planning Department work with County Counsel's staff to prepare a draft ordinance regarding wood burning appliances (e.g. wood burning stoves and fireplaces), and undertake related discussions with interested stakeholders. As currently envisioned, the draft ordinance would resemble a "model ordinance" promulgated by the Bay Area Air Quality Management District (BAAQMD), and would regulate the installation of new wood burning appliances.

The BAAQMD's model ordinance has been used as the basis of ordinances approved in seven of the nine Bay Area counties (Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Sonoma) and 37 cities (as of May 2005). It essentially prohibits the installation of new fireplaces, wood heaters or similar devices with the exception of pellet-fueled wood heaters, EPA certified wood heaters, or fireplaces certified by the EPA, should the EPA develop a fireplace certification program. The BAAQMD model ordinance applies to new construction and remodels, although a minority of the jurisdictions with such ordinances regulate only new construction -- not remodels. The purpose of the ordinance is to reduce particulate emissions caused by the use of wood burning appliances.

The Conservation, Development, and Planning Department's adopted work program for Fiscal Year 2005-2006 includes a total of approximately 0.5 FTE to prepare code amendments and to address special projects requested by the Planning Commission or the Board of Supervisors. This allocation of resources does not permit department staff to undertake an unlimited number of such projects without affecting other portions of the work program. Thus, the Director of Conservation, Development, and Planning is seeking direction from the full Board regarding allocation of resources to this subject. Preparation of a woodsmoke ordinance would not significantly reduce the amount of time available for other activities unless the ordinance were to vary greatly from the BAAQMD model ordinance or generated substantial controversy.

**SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Andrew Carey