

CITY OF UKIAH COUNCIL MEETING

300 Seminary Avenue, Ukiah, California 95482

DECEMBER 2, 2009

PUBLIC COMMENT SECTION

The Mendocino County Air Quality Management District

Location: 306 Gobbi Street, Ukiah, California 95482 (707) 463-4354

Chris Bowen, Air Pollution Control Officer

(District Has Seven Employees)

Operates 4 Air Quality Monitoring Sites in Mendocino County

***Partial Transcript with Mr. Chris Bowen, Air Pollution Control Officer:**

***Note:** Items shown in parenthesis or boxed are not part of the original transcript. They were added for information clarity, or to give dates of events, or ask questions. There may be inadvertent errors in the transcription of this public comments segment of the Ukiah City Council Meeting. We apologize for any discrepancies.

Chris Bowen: "...Last week there were some problems with some agriculture burning and some residential burning. Generally residential burning causes more complaints and more concern for us than most of the agricultural burning because the combustion temperatures for residential burning are much lower so there is more smoke.

Comment by Transcriptionist: Agriculture and Backyard burning don't usually have high combustion temperature because of fire danger in location of backyard burns. Thus, in Mendocino County they smolder for hours and days – it is unclear how a resident would create a high combustion temperature when starting this type of burn. Most of these types of fires here are small and smoky. Agriculture burning is also made of small smoky fires that burn for hours or days as they are replenished until all the cuttings are burned. None of these fires have high combustion ignition and burn fast and hot – slow and smoky is the rule here.

Chris Bowen: There were some mistakes made in Sacramento (California) last week on the burn day decisions which on Tuesday and Wednesday of last week (November 24-25, 2009), were not the best decisions that have been made by Sacramento. And they heard very strongly from myself, my counterpart at the Northern Sonoma District, and also my counterpart at the North Coast Unified District for Humboldt, Del Norte, and Trinity County, that those were not good calls.

Thursday, Thanksgiving Day, (November 26, 2009), was a "no burn" day. Friday (November 27, 2009), was also a "no burn" day last week.

Comment by Transcriptionist: There was no notification of air quality problems noted in the Ukiah Daily Journal or through notification on the Mendocino County Air Quality District Management Website regarding the above air quality issues expressed by Mr. Bowen. Did the Mendocino County Air Quality Management District provide notification to the Ukiah Daily Journal or the public that these days were "no burn" days? NO! If the air quality was good in the Ukiah Valley why would these days be restricted for all types of burning and why would Mr. Bowen be expressing his concern about "mistakes" made in Sacramento?

Chris Bowen: I worked both days. We did active patrols around the County. I wrote several violations. There were some violations issued inside the City limits (City of Ukiah), on Thanksgiving Day. We worked very closely with Chuck Yates and the Fire Department on those issues. And there will be enforcement action taken. People don't always follow the rules. And when they don't follow the rules there are consequences.

Comment by Transcriptionist: If there were air quality problems in the Ukiah Valley why would Mr. Bowen and his employees be doing active patrols around Mendocino County to issues citations? Why wasn't the public notified and why not notify those that intended to burn during those days that they should shut down their burning operations by telephone (those with permits), and by newspaper and radio announcements?

Chris Bowen: We do have two monitoring sites in the City limits (City of Ukiah). One is at the Ukiah Library and one is at our office. Both of those sites report live onto our website. You can see real time information within five minutes. Website address: <http://www.co.mendocino.ca.us/aqmd/> And I encourage folks who are concerned about air quality to go there.

Chris Bowen: The air quality in the valley was not unhealthy during that period.

Comment by Transcriptionist: If the air quality in the Ukiah Valley was not unhealthy why would the Mendocino County Air Quality Management District personnel be working on Thanksgiving Day and the day after thanksgiving writing citations for burning violations?

Chris Bowen: I do understand the maps shown on Cable TV are not completely accurate for this area because they are looking at very poor resolution. So they are looking at the Sacramento Valley and just kind of spilling over a national map.

Comment by Transcriptionist: The Weather Channel does did not picture a pollution map between November 23, 2009 and December 10, 2009. It is rare to see a pollution map of the United States except in the summer months and then only on rare occasions. The information about particulates in Downtown Ukiah was reported as EPA information and a color graph depicted moderate or unhealthy air on most days between November 23, 2009, and December 11, 2009.

Chris Bowen: Our data is imported live real time to ARB (California Air Resources Board). ARB however, does not send their data real time to the National Weather Service. And we need to modify our program so we report directly to the Weather Service and U.S. EPA (Environmental Protection Agency), as part of the Air Now Program. That will cost us some money to get done.

Chris Bowen: We are a full supported organization. We do not have any tax dollars that go to support the operation of the District. Everything we have is funded through fees. And, as you can imagine, fees are down all around these days.

Comment by Transcriptionist: The following links shows the Mendocino County Air Quality Management District Budget for 2009-2010:
http://www.co.mendocino.ca.us/administration/pdf/63-Air_Quality.pdf

Comment by Transcriptionist: Please note the huge increase in their budget between 2005/2006 and the current budget. Their budget nearly doubled over that time period. In addition, it should be noted that an increasing budget means that more pollution must be occurring in Mendocino County to fund this type of increase. Also it is alleged that a portion of the funding is from public fund sources. The Mendocino County Auditor would be able to provide the exact funding sources for the MCAQMD.

The MCAQD also has a conflict of interest. If pollution sources are stopped then their income would be sharply reduced from permits, fines, and fees. However, if pollution sources are stopped from agriculture and backyard burning the air quality in Mendocino County would improve dramatically and there would be less air quality enforcement needed thus reducing the District's costs.

Chris Bowen: So I am available for questions (from the Ukiah City Council).

Unknown Member of the Ukiah City Council: Do you have any idea what is the relative contribution to air quality of wood stoves versus burn piles?

Chris Bowen: It obviously depends on the day. And it depends on temperature and so on. What we generally believe and is documented by many studies, is the woodstove issue is more serious because that is directly located in the home, from leaks around the wood burning device, and it's in the neighborhood.

The agriculture burning, as I said, those tend to get hotter they tend to burn so they punch through the inversion. Again smoke does tend get up and travel. Many times when that doesn't happen, we do issue violations when that occurred. We did one last summer in Hopland...late last spring in Hopland, when Hopland was severely impacted by a burn that did not go well. And so there was a fine assessed..."

"...Our crimes are settled typically administratively. They can be settled, that's with me, the air pollution control officer. They can also be settled through civil matters or through criminal matters. We have not had a criminal case in the Ukiah Valley in several years. We have had some in Fort Bragg for illegal burning, and we are looking at several around the county at this point.

Mayor Baldwin: All the inefficient stoves that we see, wood burning stoves, that maybe putting out visible pollution that we see as we go on our walks around town, they are all grandfathered in I assume and there can be no citation for them?

Chris Bowen: As long as they are burning natural wood. If somebody is burning garbage in their wood stove and we can document that, that can be a violation...but you are not allowed to use your wood burning device as an incinerator. You can't burn painted wood. You can't burn pressure treated wood. Those are all very serious issues. They have lead and chromium in those items. We do have a woodstove rule in Mendocino County adopted by the District.

Mayor Baldwin: What does that mean?

Chris Bowen: That is a rule that regulates the installation of new wood burning devices. So if a new home comes in they can only put in the cleanest wood burning devices. **Right now there is a push by some industry folks, in the wood burning industry, to relax the EPA standards. We are working with the EPA to make sure that doesn't happen.**

Unknown Member of the Ukiah City Council: Does that rule apply to the cities within the county or to anywhere in the county?

Chris Bowen: It applies to anything within the District which includes all of Mendocino County except for Tribal Trust Lands which are also exempt from wood burning rules.

Mayor Baldwin: Several years ago we saw you, and there was consideration of a possible, conceivable ban on woodstoves and new construction. I assume that idea went away?

It generally did with the exception of major subdivisions which are not very common in Mendocino County. But if there is a new large major subdivision such as the Lovers Lane area has been talked about or the eastern part of the Masonite property, that has been talked about for a large subdivision, they would not be allowed to have any wood burning devices on that property...” **End of Public Comment –Mendocino County Air Quality Management District.**

Transcriptionist Comment: There have been increasing restrictions on fireplace and woodstove fires. This problem in Mendocino County is being reduced. However, the escalation of backyard and is clearly negating improvements in fireplace and woodstove improvements and decreasing use in new construction within Mendocino County.

According to the Mendocino County Final Budget for Fiscal Year 2008/2009, regarding the Mendocino County Air Quality Management District:

MISSION

Programs: “The District was created by the Legislature in 1971, and is a political subdivision of the State of California.

The Mendocino County Board of Supervisors serves concurrently as the District Board and Mendocino County provides support services to the District.

The District’s mission is to protect local air quality. Poor air quality can negatively affect public healthy, quality of life, tourism, property and the economy.

The District is managed by the Air Pollution Control Officer who is appointed by the Board...”

BUDGET UNIT 0317 SUMMARY – FUND 3270

Salaries & Employee Benefits – Adopted 2008-2009	\$ 601,133.00
Services & Supplies	577,357.00
Other Charges	5,000.00
Fixed Assets	102,394.00
Expenditure Transfer and Reimbursement	144,648.00
Net Appropriations	1,530,550.00
Revenues	810,048.00
Total Fund Balance Contribution	620,502.00

According to the Mendocino County Final Budget for Fiscal Year 2008/2009, regarding the Mendocino County Air Quality Management District:

Salaries & Employee Benefits Account 1011 Provides Funding for 8 Positions

**Services & Supplies Account 2210 Provides for Costs for Leased
Facilities – Gobbi Street Offices and Willits Monitoring System**

**Account 5802 Provides funding to the Planning
department for the General Plan Update. CEO recommends that
\$34,648 be transferred to BU 2853 for General Plan update.**

**Revenues Account 5397 Provides for the cost of
implementation of State programs not supported by other District
Revenues.**

**Question: Where does the \$1,530,550.00 come from in the Mendocino County Budget?
Request Breakdown of these items from the Mendocino County Auditor.**