

## **EXHIBIT “A”**

### **EXPRESS FINDINGS FOR MODIFICATIONS TO THE CALIFORNIA MECHANICAL CODE**

City of Fresno staff provides the following evidence to support findings to make the following amendments to the California Mechanical Code pursuant to the California Health and Safety Code sections 17358.7 or 18941.5

#### **MODIFICATION: Add Section 933 related to Wood-burning Appliances**

Modification lists criteria that wood burning appliances satisfy emission standards. This modification is a re-adoption of Fresno City Ordinance No. 2003-13 approved and adopted by City Council February 4, 2003.

1. Wood burning appliances not permitted in any New Construction
2. Allows for replacement of existing wood burning appliances lawfully installed prior to March 17, 2003 with an EPA certified wood burning appliance.
3. Permits and inspections required.

On November 3, 2016 the Fresno City Council considered the introduction of an ordinance that would amend the City’s Mechanical Code prohibiting wood burning appliances in all new construction. At the Council meeting of November 17, 2016 Council approved and adopted the ordinance to amend the Mechanical Code. The purpose of the modification is to control severe air pollution in the Central Valley by placing more restrictive requirements on solid-fuel burning fireplaces.

**Suggested Finding:** Climatic, Topographic, Substantially Equivalent

#### **Evidence:**

The San Joaquin Valley Air Pollution Control District reports, “On average the Valley experiences 35-40 days when we exceed the federal health-based standards for ground-level ozone and more than 100 days over the state ozone standard.” The EPA, California Air Resources Board, and Air Pollution Control District have conducted studies of winter-time PM pollution in the Fresno urbanized area, and have focused on wood-burning as a primary cause. They have found that wood-burning also generates excess toxic pollutants (PAHs, polyaromatic hydrocarbons) and carbon monoxide. These pollutants build up in Fresno under the inversion layer, leading not only to monitored pollutants that exceed state and federal standards, but to actual measurable increases in respiratory illnesses such as asthma attacks. The San Joaquin Valley Air Pollution Control District further reports that “The San Joaquin Valley Air Basin is

approximately 250 miles long and is shaped like a narrow bowl. The sides and southern boundary of the “bowl” are bordered by mountain ranges. The Valley’s weather conditions include frequent temperature inversions, long hot summers, and stagnant, foggy winters, all which are conducive to the formation and retention of air pollutants. The bowl-shaped Valley collects and holds emissions and pollutants. These characteristics cause the San Joaquin Valley to be unusually susceptible to air pollution problems.