

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## AIR QUALITY ADVISORY BOARD

### TYPE OF MEETING – REGULAR

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October 15, 2018, 5:30 – 8:00 pm  
Colorado River Room, 222 Laporte Ave.

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#### 1. CALL TO ORDER

5:30 pm

#### 2. ROLL CALL

- List of Board Members Present
  - Karen Artell
  - Greg Clark
  - Jim Dennison
  - Harry Edwards
  - Arsineh Hecobian
  - Mark Houdashelt
  - Matt Tribby
  - Chris Wood
  - Vara Vissa, Acting Chair
- List of Board Members Absent
  - N/A
- List of Staff Members Present
  - Cassie Archuleta, Staff Liaison
- List of Guests
  - N/A

#### 3. AGENDA REVIEW

- Originally, a presentation on building code updates was scheduled; however, the Board asked instead for a written update regarding asbestos notifications.

*Staff Follow-Up: Cassie will reach out to staff to provide a written update on asbestos for a future meeting.*

#### 4. CITIZEN PARTICIPATION

- N/A

#### 5. APPROVAL OF MINUTES

*Staff Follow-Up – Cassie will follow up with Lindsay Ex regarding a statistic noted in the September 17, 2018 meeting minutes from the 100% Renewable Electricity presentation. Specifically, the Board would like clarification regarding the statement that Platte River*

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*Renewable Energy is now at 15%.*

- Harry moved and Karen seconded a motion to approve the September 17, 2018 minutes as revised. Motion passed, 6-3-0.

## 6. UNFINISHED BUSINESS

### Chair Elections

- Mark Houdashelt, had stepped down from the chair position in August, Vara served as acting chair in September and October. Karen and Vara nominated Arsineh as Board Chair. Vara agreed to stay in vice-chair position.
  - Vote for Chair: 8 in favor for Arsineh, Arsineh abstained.

## 7. NEW BUSINESS

### a. Outdoor Residential Burning

*Cassie Archuleta, Air Quality Program Manager, provided an update on the public engagement process that was conducted for outdoor residential burning and asked for a recommendation regarding the next steps to potentially develop a policy recommendation. A Council work session on this topic will be held on October 23, 2018. Based on the feedback received thus far, City staff have developed three options for Council to explore further. Cassie asked the Board which they would recommend and stated that members had the option to provide a formal recommendation or to allow their opinions to be presented to Council as meeting minutes.*

- *Option 1: No new regulations, enhanced education and outreach (status quo)*
- *Option 2: A regulatory option to address only fires that negatively impact neighbors (middle ground)*
- *Option 3: Prohibit emissions of wood smoke from recreational fires in residential areas (most extreme)*

*Cassie presented an overview regarding public outreach, and asked the Board which type of policy options they would prefer.*

### Discussion

- The Board briefly discussed the details of the City's current policy. Cassie explained that complaints are handled under the City's Nuisance Codes and that violations may be civil or criminal depending upon the number of violations and location at which they take place.
  - Jim stated that he believes it is more reasonable to limit violations to civil rather than criminal offenses, and that it may be excessive to prosecute

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people and implement sentences over burning wood.

- Matt noted that opacity must be observed by an individual that is certified to do so and asked what the EPA's specifications are regarding this process.
  - Cassie responded that a member of City Staff is certified to observe and document opacity. The certified Staff member performs observations in response to complaints or if they notice excessive smoke.
- Mark asked if ownership of firepits or chimeneas was associated with less concern about issues related to outdoor burning.
  - Cassie responded that there was not a direct relationship and that some citizens owning pits or chimeneas expressed concern about smoke emissions.
- Vara asked if a discernable relationship existed between ownership of wood burning devices and income level.
  - Cassie stated that while there was an income component in the survey, it has not been tabulated; non-smoke-related complaints were not included in the study.
- Karen asked who would enforce new outdoor burning codes, if implemented.
  - Cassie responded that staffing for such provisions had not been determined yet, but that it may be possible to utilize code compliance staff during daylight hours. Currently, there are no staff members that could respond during evening hours or on weekends when most outdoor burning takes place.
- Matt asked about the mechanisms currently in place to notify citizens of high pollution or fire restriction days.
  - Cassie responded that the State provides air pollution notifications and that the City provides a link to access them on its website. She noted that the City could take a more proactive approach to spreading such messages (for example, implementing a notification system). She stated that the emphasis of a permitting program could be on educating people rather than handing out tickets; however, multiple offenses would likely result in some type of enforcement.
- Greg noted that there doesn't seem to be a high number of complaints.
  - Cassie replied that this comment came up frequently throughout the study; however, some citizens also noted that without a rule in place to restrict burning, there was little reason to file a complaint.
- Jim stated that he disagrees with the opinion (expressed via the survey results) that

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outdoor burning is a property right. He does not believe that citizens should have the right to generate unsafe levels of air pollution. He asked what health effects resulted from fire smoke inhalation for members of sensitive groups and if there was a way to quantify the number of health issues triggered by outdoor burning.

- Cassie stated that health effects are highly varied, but short-term exposure to smoke may include aggravation of conditions such as asthma, COPD, and respiratory issues. She stated that ¼ of survey respondents had someone in their household that has asthma or is sensitive to smoke.
- Jim replied that without quantitative data on the health effects triggered by smoke pollution, it may be difficult for policy-makers to determine the best course of action. He believes that people may be more inclined to implement a ban if they had quantitative data showing how many citizens are affected. Jim doesn't think that the City should create policy based on the survey results alone.
- Matt asked if there is any data that indicates why people rated each smoke factor (outdoor burning, indoor burning, tobacco/marijuana smoke, etc.) the way that they did. For example, tobacco and marijuana were overwhelmingly opposed by all age groups. He asked if this could be because most people are educated or have personal experience related to the risks of tobacco/marijuana smoke, while they lack education about the risks of other kinds of smoke? He believes that clinical data and more education on the effects of wood smoke may change citizens' opinions.
- Jim noted that while tobacco is banned in most public areas, it has far less of an impact than outdoor burning based solely on the quantity of smoke emitted. While the smell of tobacco smoke may be a nuisance for some, there is not a significant exposure risk for secondhand smoke in the outdoors. Knowing the acceptable levels for wood fire smoke (if EPA set one) would be helpful, and an objective way to frame policies around smoke.
  - Cassie stated that the EPA has air pollution standards for particles.
- Vara asked how the City will use the information from the survey and who responded. She also inquired why Council has chosen to prioritize this issue and what led to the potential policy changes.
  - Cassie replied that a subset of the population was chosen, and 3000 surveys were distributed to citizens that included a mix of demographics. A third-party consultant ensured that the results were statistically significant. After Council prioritized the issue, they approved a plan for staff to gather public opinion.
- Mark asked if people specify why they're making complaints. For example, are most complaints from people with health issues? He also noted an equity issue with Option #2, through which people would have the right to build fires as long as they don't disturb their neighbors; however, some people may live in "healthier" neighborhoods

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than others, allowing them to burn whenever they like, while others may never have the opportunity to do so.

- Cassie responded that the City only collects information if it is offered at the time of the complaint. Currently there is no policy in place to track such information or further follow up with citizens who have made complaints to get more information about why they are concerned.
- Mark noted that it would be important to know the cost and staffing requirements for each of the different options and Greg suggested researching the costs that Boulder incurred when they implemented a fire ban.
- Karen stated that she does not agree with a complete ban as outdoor residential burning does not seem to be an environmental issue on a large scale, but she does believe that we need to protect sensitive populations.
  - Jim stated that if there were known fatalities then it may sway more people in the way of a complete ban.
- Matt noted that for this issue to be successfully prioritized and universally understood, the focus needs to be on outdoor burning as a health issue, not as a nuisance.
- Arsineh stated that she has studied wild fires and noted a significant difference in emissions depending on what type of wood is burned and how a fire is tended. There are sensitive groups that currently exist and those that can become sensitive depending upon exposure. She noted that the frequency of residential fires and when they are occurring is significant in determining the health impacts linked to them. For example, inversion may cause increased health impacts. This is a complicated issue, but Arsineh does not believe that Option #1 will be an acceptable course of action as continued outdoor burning has the potential to significantly affect a portion of the City's population. She stated that the decision between Options # 2 and 3 is difficult, and that more data regarding the nature of the fires in question is desirable (although difficult to obtain), to better determine the health impacts.
- Greg expressed concern with the burdensome process of issuing criminal violations for nuisances. He would like the process to focus more on helping those exposed and would like to see a mechanism in place for people to more effectively protect themselves.
- The Board agreed to draft a statement for Council to express their desire for more research with better defined objectives before implementing policy changes:

*“AQAB recommends to City Council that outdoor wood burning is a growing concern warranting consideration. The main concerns are the health issues which, at this time, we have not seen data on the incidence of health impacts within the City of Fort Collins. AQAB recommends additional health outcome data gathering*

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*prior to narrowing recommendations. Based on qualitative information that we have, something along the lines of Option #2 or #3 may be appropriate. The current policies are not adequate to address the needs of sensitive or affected populations.”*

*Staff Follow-Up* – Cassie will compile a memo with this statement and submit it to City Council.

- Matt asked if it would be possible for City Staff to reach out to Denver or Boulder to get more health-related data (as they have implemented bans on outdoor burning and have likely studied its effects).
  - Cassie stated that policies in place in Denver and Boulder resulted from regional studies that took place during the early 1990s. Other municipalities treat outdoor burning as a safety concern.
- Jim asked if short-term exposure can trigger asthma attacks, etc.
  - Cassie replied that if you can smell or see smoke, it is usually enough to trigger a response for a sensitive individual. Two or three hours of exposure for a healthy adult will only have short-term effects according to some studies, while others say that there are no safe levels of exposure.
- Vara stated that she'd like to see a short-term solution before delving into another data collection phase and asked if it would be prudent to set deadlines for such a process. She asked if outreach and education could be incorporated into all three policy options presented and stated that she would like the AQAB to have the opportunity to provide input towards the next round of data gathering, if possible.
  - Cassie responded that AQAB input will continue to be important, and that increased outreach/education could be included for any policy option implemented.

## 8. BOARD MEMBER REPORTS

- Mark noted that a date for the joint board planning meeting has not yet been set. If it cannot be scheduled before the end of November or early December, the group will reconvene next year.
- 9/19/18 – Mark attended the NRAB meeting last month and informed them that the waste memo previously discussed is on hold. They also discussed the 100% Renewable Electricity Resolution.
- 9/24/18 – Mark attended the Bicycle Advisory Committee meeting at which the implementation of regulations on electric scooters was discussed. The committee also discussed BFO offers (very few bicycle-related BFO offers were funded) and E-Bikes. City Staff would like to discuss the E-Bike pilot project that they will present to

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Council with the AQAB.

- Mark attended the Climate Action Plan Citizen Advisory Committee meeting last week. A 0.63% increase in electric rates was discussed to raise money for energy efficiency and other projects; however, Council thought the increase was too high, so City Staff will need to devise options for a lower rate increase.
- Arsineh and Jim attended a radon working group event that also included the president of a local property manager association, a representative from CSU Extensions, a representative from the real estate industry, and representatives from the Fort Collins Code Compliance and Social Health Departments. City Staff have developed options to help increase awareness, testing, and mitigation. The working group members were asked to rank the options.
  - Jim added that it will be important to determine the health benefits associated with each option, but it may be difficult to acquire quantitative data during this round of funding. He's hoping that there will be an option to require testing for every real estate transaction, which could increase overall testing and mitigation. He noted that the City has proposed cutting funds for the zero-interest loan program that supports radon mitigation.
  - The Board expressed concern that the zero-interest loan budget was being slashed. Arsineh suggested that AQAB members can keep an eye on the budget and make individual recommendations. Cassie offered to answer any questions that Board members had.
- 10/29/18 – The Colorado Group to Recycle will get a tour of a plastics to fuel facility during the next meeting.
- Harry briefly discussed an article from the September 24, 2018 issue of Chemical Engineering News titled "Should Plastics be a Source of Energy?" He also noted that China is no longer accepting plastic waste and weighed the options of converting waste to energy, which would entail building new facilities that may contribute significantly to air pollution, or burying waste.

### 9. OTHER BUSINESS

- November agenda planning
  - Regional Wasteshed
- Unscheduled Items
  - AQ/City Plan – transportation and land use planning scenarios
  - Ozone – end of ozone season update
  - E-bikes
  - West Nile – end of season update

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- Idling program discussion
  
- Mark asked Board members to think about whether they want to continue the GHG subcommittee.

## 10. ADJOURNMENT

8:13 pm