



PO Box 3744 | Olympic Valley, CA 96146

September 30, 2010

Implementation date amended/corrected

The Honorable Kirk Uhler, Chairman
The Board of Supervisors, the County of Placer
c/o Ann Holman, Clerk of the Board
175 Fulweiler Avenue
Auburn, CA 95603

Re: County Air Pollution Control District’s Rule 225 “Wood Burning Appliances”, as amended – Request for Supervisors’ intervention on Subsection 303, “Sale or Transfer of Real Property” provisions.

Dear Chairman Uhler:

It has only recently been brought to our attention that Placer County’s Air Pollution Control District (APCD) had amended its Wood Burning Appliances rules (Rule 225). Slated to take effect on Jan. 1, 2012, Rule 225, Subsection 303 as revised would have a profoundly negative impact upon a wide range county interests, including: Real property transfers, affordable housing access, regional economic recovery, environmental protection, not to mention the public’s health and safety. The core flaw in the abovementioned Rule revision is its reliance on point-of-sale (p-o-s) to trigger compliance. Also concerning is the confusing bifurcation of authority and responsibility between our elected Board of Supervisors and the appointed APCD commissioners. We urge you to correct both of these matters, the ill-conceived point-of-sale compliance provision, and the placement of a countywide policy under APCD Rules rather than within County Code. The corrective measures we urge you to vigorously pursue are three-fold: (1) County-wide requirements with significant policy implications be given a full and fair hearing in front of our elected Board of Supervisors. If adopted, such important matters reside in and can easily be

found/referenced in County Code; (2) Reconsider and reject the poor performers that are embodied in point-of-sale compliance provisions; and (3), Bring forward a sound policy and program to protect public health and the environment as it relates to woodstove particulate matter, namely a Universal Compliance mandate with a date-certain established to come into compliance.

Our professional advocate, John Falk, is corresponding directly with Placer County's APCD on this issue, and has indicated that he with copy in the Board of Supervisors as communications are sent or received. His treatment of this issue provides much more depth and breadth than can be accomplished in a couple of pages outlining the nature of the concern, its importance to our county's future, and the need to reestablish control over the setting of policy in such far-reaching matters. Suffice it to say at this juncture that there are many compelling reasons to take up this issue; and for the establishment of policies and procedures that will actually address the concern in an efficient, effective, and equitable manner.

With the Placer County APCD's Rule 225 amendments looming large on the horizon (scheduled to take effect on January 1, 2012), your Board's intervention in the near-term would be greatly appreciated. It would be most unfortunate to have these ill-conceived and ill-advised point-of-sale provisions become active and in-force throughout the County of Placer without ever being subject to deliberation by our Board of Supervisors. We welcome the opportunity to engage you in discussions regarding the issues and alternatives.

Sincerely,

s/*Al Colhoun*

Al Colhoun, President
Tahoe Sierra Board of Realtors®

cc: The Honorable Jennifer Montgomery, 5th Dist. Supervisor, Placer County
Placer County Association of Realtors®
California Association of Realtors®