

REGULAR AGENDA

6. **Director's Report – Refer to written report for detail**

Gary Pruitt reported on the following Legislative updates:

Federal - The House of Representatives passed the American Clean Energy and Security Act of 2009 (ACES), the Waxman/Markey global warming bill. A new version of the bill, HR 2998, incorporating changes from eight committees and the House Energy and Commerce Committee shared jurisdiction, was released on June 23rd. Staff continued that there have been several amendments added to this Act and will hold further reporting on it until it has been approved.

State Funding – Staff reported that on June 8, 2009, Stu Clark, Ecology Air Program Manager, announced the state base grant to local agencies would be reduced by 3% (\$2,825) for FY 10, and on June 19th announced that perhaps it would be reduced by another 2% (\$1,883) for a total reduction of \$4,708 to YRCAA.

Federal Funding – Staff reported that June 25, 2009 the Senate Appropriations Committee marked up and passed EPA's FY 2010 budget. Air monitoring will not be included with 105 funding, which does not require matching funds. YRCAA may receive about a \$4,000 increase, which is about \$1,500 more than previous years. There are still concerns about FY2011 funding. Staff and Board discussed upcoming meetings with elected officials regarding the decrease in funding that has been predicted. That concluded the Director's report.

ACTION ITEMS

7. **Proposed FY 2010 Budget – Resolutions 2009-05 and 2009-07**

Tom Gasseling began the budget discussion by changing the order that resolutions should be addressed. He recommended that Supplemental Income should be addressed prior to the resolution for the FY 2010 Budget. Board and staff concurred on the order by which the action would be taken. Tom continued that the current rate is 27 cents, the recommendation for Supplemental Income ranges from 31 cents up to 96 cents. Tom noted that staff has discussed this with Board, several municipalities and groups regarding the need to fund work needed to avoid Non-Attainment for PM_{2.5}.

Tom Gasseling opened Supplemental Income for Board discussion which follows.

Kevin Bouchey gave a brief description of his participation in a study group concerning Non-Attainment for PM_{2.5} and his work on the County's budget. He understands the need to avoid Non-Attainment, but at this time with fiscal constraints he feels the Supplemental Income should be kept at its current rate of 27 cents and asked other members for their comments. Bob Jones concurred and stated that smaller communities could not afford to go any higher at this time and individuals cannot afford additional taxes.

Bill Lover discussed his concerns about high permit and registration fees and cost to the citizen and industry. He felt that if we go into Non-Attainment for PM_{2.5} it would cost more as it would limit the ability to attract businesses to the area. He felt the cost should be borne by the government rather than the citizens and that the Supplemental Income should be increased and at the same time reduce permit and registration fees.

Dick Camp, the first non-elected member representing the County, and an industrial source, understands the effect Non-Attainment can have on attracting industry. It took 12 years to get into compliance for PM₁₀. Dick continued that he understands the small cities and Yakima County's position and constraints on budgets, but we cannot afford to go into Non-Attainment. Dick felt that enforcement should be stricter to gain compliance and use some of the fund balance in the current budget for work that needs to be done.

Tom Gasseling stated that it is not good to cut permit fees and we need to increase Supplemental Income, we cannot stay at the level we are now.

There was discussion by Board and staff on the emphasis of where work allocation should be directed to avoid Non-Attainment. Board also discussed several options regarding residential burn permits and registration fees and the pros and cons of lowering them. Staff said there would be no increase in permit and registration fees for 2010. Board and staff discussed the use of reserves to help fund the work required. Staff agreed that the use of reserves could be done, but would not like to touch reserves set aside for salaries.

Bill Lover moved to approve Supplemental Income at the rate of 59 cents and work to lower permit and registration fees. Tom Gasseling asked for a second. There was none. The motion died for lack of a second.

Kevin Bouchey moved to keep the Supplemental Income at the current rate of 27 cents. Tom Gasseling asked for a second. There was none. The motion died for lack of a second.

Bob Jones moved to approve Supplemental Income at the rate of 40 cents and lower Residential Open Burn permit fees by 20%. Bill Lover, second. Tom Gasseling was opposed to lowering the Residential Open Burn permit fees. After discussion by Board on the issue of lowering fees and suggested Supplemental Income, Bill Lover and Bob Jones withdrew their motions.

Dick Camp moved to approve Supplemental Income at the rate of 40 cents and authorize staff, with Board approval, to use up to \$50,000 of reserves to achieve PM_{2.5} compliance. Bob Jones seconded the motion. Kevin Bouchey amended the motion to have the 40 cents Supplemental Income based on per capita only and not 50/50 as stated in Resolution 2009-07. Bob Jones seconded the amendment. Tom Gasseling asked for a vote. Dick Camp, Bob Jones and Kevin Bouchey voted yes. Bill Lover voted no. Bill stated he could not support as he was not sure how it would affect the City of Yakima. Motion was approved.

Tom Gasseling asked for a motion to approve the FY 2010 Budget, Resolution 2009-05. Kevin Bouchey moved to approve the budget with the amended Supplemental Income of 40 cents per capita and use of reserve funds as authorized by the Board. Bob Jones seconded the motion. Board approved the FY 2010 Budget.

8. Fiscal Program Report – Approve Accounts Payable, Payroll

Lyne Monroe, Fiscal Program Manager, asked Board to approve the Accounts Payable totaling \$65,410.24. Staff asked if there were any questions; there were none and continued with Payroll for \$60,280.01. Staff asked if there were any questions on the accounts payable or payroll. There were none.

Tom Gasseling called for a motion. Bob Jones moved to approve Accounts Payable and Payroll Authorization. Bill Lover seconded. Accounts Payable and Payroll were approved.

Staff referred Board to the Supplemental Income and June's BVA. That concluded staff's report.

DIVISION/PROGRAM REPORTS

Refer to written reports for clarity.

9. Accept Engineering and Planning Division Report

Hasan Tahat, Division Supervisor, referred the Board of Directors to the letter YRCAA sent to the Department of Ecology dated June 12, 2009 requesting they void the first quarter of the FRM data for PM_{2.5}, or at a minimum void the exceedences for 2009 due to Nephelometer data that had been correlated poorly which consistently under predicted the PM_{2.5} concentrations up to 10.6 µg/m³. Staff has not received a response to their request at this time.

Staff presented to Board a power point presentation staff had given at the Washington Air Quality Forecasters meeting held in Ellensburg by Ecology and all of the local air authorities. At the meeting staff discussed our topographical conditions and the 2008-2009 burn season; the issue of the two stages of curtailments and difficulty it was for our circumstances. Staff continued with the problem we have observed with the Nephelometer correlation of data since October, 2009. It was discovered other local authorities were having similar problems with their Nephelometers. Staff reported that we now do our own correlation to ensure we have correct data.

There was discussion by Board and staff concerning calling curtailments and the issue of moving from a stage 1 to stage 2. Gary Pruitt and Kevin Bouchey will discuss the issue at a later date.

The Engineering Division also attended the Washington Association of District Employees workshop as one of the panelists in the Air quality session. Staff discussed air rules and regulation in Washington State for dairies. It was a productive workshop for the dairy industry in the Northwest. Staff is working toward a registration program for dairies.

Staff attended the State Agricultural Burning Practices and Research Task Force quarterly meeting on June 9th. Staff formally asked the Task Force to change the Ag burn permit fee determination for orchard debris to be based on tonnage rather than acreage, as allowed by the rules and regulation. Staff believes that WAC 173-430 concerning Ag burning fees will be reopened and hopefully changed.

Staff referred the Board to the graphs and reported there was no exceedence of PM_{2.5} for the month. That concluded the Division report.

10. Accept Compliance and Air Monitoring Division Report

Keith Hurley, Division Supervisor, report also included information about the PM_{2.5} FRM monitor and the failure of the transfer mechanism. The failure resulted in seven missed or partially completed samples. The impact of the failure is yet to be determined. It could result in the invalidation of the data for the second quarter of the Calendar Year.

Staff reported on complaints received, investigations and inspections completed, Notice of Violations, Assurances of Discontinuance and Notices of Penalties issued and other activities by the Division. Mr. Jim Dyjak, citizen, commented that having numbers of complaints received does not indicate the type of complaint it is. Mr. Dyjak requested staff to expand the report by indicating the number and type of complaint received and acted on by staff.

Staff reported on the reply to our request of EPA to discontinue the PM10 Monitoring Operations at Central Washington Comprehensive Mental Health Facility. EPA has not dismissed the request, but would like to discuss it further and the possible options for continuing the operation of the monitor, and necessary resources to fund it. That concluded the Division report.

11. Accept Public Information Program Report

Dave Caprile, Public Information Officer, reported to the Board that the 2009 Woodstove Change-Out Program was completed June 30, 2009 with 64 uncertified heating devices changed out to low income households. Staff broke down the type of change-outs completed. The total funds expended amounted to \$252,000, with an added value in matching funds of \$33,588 for a total value of \$285,588 and involved 26 partners.

Staff continued that since 1993, YRCAA has been involved in 13 wood stove rebate or change-out programs, resulting in the recycling of some 945 uncertified devices. Staff has met with proposed partners for the FY 2010 Program in late June. Grant award amounts are expected to be announced in late July or early August.

The Director and Public Information staff continued to present precautionary Non-Attainment information to interested groups, New Vision's monthly business (Industrial Roundtable) meeting in June, and with the City of Yakima's Community Economic Development committee on July 1st.

Staff is participating in the 2009 Hispanic Health Fairs through the summer. Staff attended the latest one in Zillah on June 27th. That concluded the Program report.

12. Other Business & Adjournment

Tom Gasseling asked if there was any other business. There was none.

Bob Jones moved to adjourn. Dick Camp seconded. Board adjourned at 4:07 p.m.

Tom Gasseling, Board Chair

Audio CD of this meeting is available at the YRCAA.
Minutes submitted to Board for approval August 13, 2009.

Patty Walker, Clerk of the Board