



Minutes of the December Meeting for the Governing Board of Directors

Location, Date and Time:

Yakima City Hall Council Chambers

December 9, 2010

Time: 2:00 p.m

1. **Tom Gasseling, Board Chair**, called the Meeting to order at 2:00 p.m.
2. **Patty Walker – Roll Call** There was a quorum. Two members were absent.

PRESENT WERE:	
BOARD MEMBERS: Tom Gasseling, Member-at-Large, Chair Bob Jones, Small Cities Representative Bill Lover, Large City Representative LEGAL COUNSEL: Gary Cuillier, Board Counsel ABSENT: Kevin Bouchey, County Commissioner–Vice-Chair Dick Camp, County Representative Rick Ensey, Alternate, Large City Rep John Tierney, Alternate, Small Cities Rep Rand Elliott, Alternate, Co Commissioner	STAFF: Gary W. Pruitt, YRCAA Director Patty Walker, Clerk of the Board Staff, Engineering/Planning Division Staff, Compliance/Monitoring Division Staff, Public Education Outreach Staff, Fiscal Program Manager VISITORS: Eric Anderson, Friends of Toppenish Creek Helen Reddout, CARE Larry Fendell, Citizen Gerald Geffrey, Citizen Jerry Craig, US EPA Joe Walsh, CWHBA Steve George, Dairy Federation Sandra Halstead, Citizen Other citizens not listed MEDIA: Bonnie Lozano, YPAC Dave Lester, Yakima Herald Republic Photographer, Yakima Herald Republic

3. **Additions and Deletions to Agenda** –Board Chairman, Tome Gasseling, asked if there were any additions or deletions. There were none.

PUBLIC COMMENT PERIOD

4. Tom Gasseling asked if anyone from the public would like to comment on non-agenda items. As there were several members of the public prepared to comment Tom Gasseling asked the people to identify themselves, be specific, and all comments are to be directed to the Board of Directors.

Comments presented are in a separate document attached to this meeting summary.

CONSENT AGENDA

- 5.1 By consent, approve Minutes of November 10, 2010;
- 5.2 By consent, accept and file November, 2010, Monthly Activity Report.
- 5.3 CY 2011 Board Meeting Schedule; and
- 5.4 CY 2011 Holiday Schedule for Staff.

Bob Jones moved to approve Consent Agenda items 5.1 thru 5.4. Bill Lover seconded. Consent Agenda items were approved.

REGULAR AGENDA

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

Gary Pruitt, Director, reported on the following:

Dairy Emissions Workgroup– Staff reported the fifth meeting of the Workgroup was held December 2nd at the YRCAA office. Other than staff members attending were, Bill Lover, Steve George, Dairy Federation Member, Bill Wavrin, dairy owner, Stuart Turner, consultant, Rebecca Hawk, YIN, Tony Veiga, Bill Scheenstra, Tom DeVries and Bill Dolsen . Staff continued with a summary of the meeting, and discussion concerning schedule for proposing the policy for consideration of approval by Board, nature and duration of trial implementation period; legal review by the industry, nature of responses to the policy by the industry, exemption from public disclosure of some information required in the AQMP; and how BMP implementation will be assessed.

Staff reported that staff is preparing a Concise Explanatory Statement that will provide; reasons for adopting the policy, a description of any differences between the draft policy and the proposed policy, and the Agency's response to public comments. The Proposed Policy will be brought to the Board in February, 2011.

Budget – Staff reported due to the Governor's fall revenue forecast the FY 11 state Base Grant will result in further cuts. Staff will attend the January meeting of the Washington Air Quality Managers where this will be discussed.

Compliance Assistance – Staff attended a meeting with the Central Washington Home Builders Association Remodelers Council, December 7th to discuss agency requirements regarding inspection and sampling for asbestos in roofing and other materials prior to renovation. Staff was well received and made progress in establishing a better understanding of how staff will interact with remodelers, and will develop guidance and policy determinations to assist with compliance requirements.

That concluded the Director's report.

ACTION ITEMS

7. **Election of Board Officers for 2011**

As all Board Members were not present, it was decided by Board to continue 2010 Board Officers will continue to February, 2011 and elect new officers at that time.

8. **Resolution 2010-13 Allows an Exemption for an Agency to Maintain a Complete Index of All Files and Documents Prepared and Maintained by YRCAA**

Patty Walker, Public Records Officer, requested Board approval for this exemption. Staff continued with background for this requested action. Bill Lover moved to approve Resolution 2010-13. Bob Jones seconded. It was open for discussion.

There was discussion by Board. Larry Fendell read into Board (see attached letter), from Colleen Reimer, stating reasons for Board to not approve an exemption for YRCAA. After discussion by staff and Board, it was determined there should be more research into the matter. Bill Lover and Bob Jones withdrew their motion for approval. Staff is to bring this to the next Board meeting.

Mr. Fendell stated that his personal experience with Public Records Request with YRCAA has been very good. He has had no problem with staff and gaining requested documents.

9. **Accept Fiscal Reports and Approve Vouchers**

Christa Owen, Fiscal Program Manager, asked Board to approve YRCAA payroll in the amount of \$57,145.52 and vouchers amounting to \$9,831.50. Bob Jones moved to approve vouchers and payroll. Bill Lover seconded. Payroll and vouchers were approved.

Staff advised Board that the on-site audit is complete. The exit meeting is tentatively scheduled for

January 4th. Board Members will receive an invitation from the State Auditor. Staff referred Board to the monthly BVA, and Supplemental Income status report. Staff asked if there were any questions, there were none. That completed the Fiscal Program Report.

DIVISION/PROGRAM REPORTS

Refer to written reports for clarity.

10. Accept Engineering and Planning Division Report

Hasan Tahat, Division Supervisor, reported on the Agricultural Burn Task Force Meeting held November 18th to discuss 2011 agricultural burn permit fees and calculations. The new permit fees for agricultural burning will begin January 1, 2011. Agricultural burning is being allocated that limits the amount of emissions into the air. There were no burn bans called in November. The first burn ban of the season was called December 1st.

Staff reported that the Public Comment Period for the Air Operating Permit draft modification ended on November 26, 2010. Staff continued with staff activities; reviewed and responded to 52 SEPA Checklist, issued 2 NSR Orders of Approval, 11 Agricultural Burn Permits and one Conditional Use Permit. Staff referred Board to the monthly PM2.5 monitor data.

That concluded the Engineering and Planning Division report.

11. Accept Compliance and Air Monitoring Division Report

Keith Hurley, Division Supervisor, referred Board to the activities and number of complaints responded to during November. Now that the heating season has begun, and one curtailment called Compliance staff and CWI have been patrolling.

Staff continued with the meeting at Central Washington Home Builders Association (CWHBA) – Remodelers Council. Staff was pleased with the reception we received and the interest in learning about asbestos which is a significant problem with older homes in the valley. Staff appreciates the open relationship with Mr. Walsh at CWHB.

Staff stated his feelings for the dairy meetings, and the agricultural task force he has participated in. Staff discussed the difference between enforcement and compliance. Having the industry comply with policies and regulations is better than enforcement. When the industry is willing to work to improve it is by far better. There are those who will not comply, but there will be more that will. Staff continued that EPA will have Best Management Practices. They will mirror what we will be doing during the pilot period.

That completed the Division report.

12. Public Information Program Report

Dave Caprile, Public Information Officer, reported that staff has implemented a Burn Status page on the YRCAA website for the upcoming home heating season. People may access a link to sign up for notifications to changes in the burn status.

Staff continued with activities during the month of November. Staff completed recording the Spanish equivalent of the Wood Stove Selection and Use DVD for a bi-lingual production at Radio KDNA (Hispanic radio). Staff has met with members of the Yakama Nation Environmental Management Program (YNEMP) to explore common ground. Rebecca Hawk, Yakama Nation Regional and National Air Quality Coordinator, was designated Yakama Nation liaison from that program to YRCAA. Staff reported on program manager and air quality staff with Yakama Nation.

Staff participated in the annual Youth Environmental summit hosted by Yakima Waste Systems at the Yakima Convention Center, the Yakima Area Public Information Officers meeting held at the Yakima Valley Memorial Hospital on November 17th, and reported that the Washington State Wood Smoke

Education and Outreach program continues to develop instructing households on proper wood preparation and wood stove use.

That concluded the Public Information Program report.

13. Other Business & Adjournment

Tom Gasseling, Chair, asked if there was any other business. There was none. Bob Jones moved to adjourn. Bill Lover seconded. Meeting adjourned at approximately 3:15 p.m.

Tom Gasseling, YRCAA Board Chair

Patty Walker, Clerk of the Board

Audio CD of this meeting is available at the YRCAA.
Minute Summary submitted to Board for approval January 13, 2011.

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Time: 2:00 p.m

Please Note: I have made every effort to present each comment, as written comments, as presented. However, even with every effort made, this may not be verbatim. Audio copies are available upon request.

PUBLIC COMMENT PERIOD

4. Tom Gasseling opened the meeting for public comments.

Tom Gasseling stated: *There are several people here prepared to speak. Tom Gasseling asked the people to identify themselves, limit their time to specific items so that everyone has time to speak, and the comment should be directed to the Board. Just remember there's a lot of people will want to talk.*

Joe Walsh

Joe Walsh, Government Affairs Director, Central Washington Home Builders Association. I have been remiss the last couple of meetings I should have been here earlier. I wanted to extend kudos to your staff, in particular Gary Pruitt, for the work he has done with our remodelers on the asbestos sampling and testing issue. This took us somewhat by surprise several months back. Gary has helped us get up to speed with that. He was instrumental in arranging an instructor to come to Yakima to actually certify a few of our members as Ahera Inspectors. We really appreciate his efforts and willingness to come to our house. He has been a real asset to Yakima.

Board and staff thanked Joe for his comments.

Helen Reddout:

I am back again. Helen Reddout, Outlook, WA. I am here today to present some additional letters, and I hope, [asked staff to pass letters to Board] and in there you will find a complete set of everything I am going to be turning in, and I hope you do take the time to read these on your own and see. The first one that I want to bring to your attention today is written by the Dairy Education Alliance, this is a national organization. We focused on that one, also with members here in Yakima and within Washington State. On this report here we focused on health problems in association with air pollution.

The second letter I would like to call to your attention is by Socially Responsible Agricultural Project, which is also a national organization with members here in Washington State. In this letter we are talking about the fact that this is a testable problem there is sound scientific machinery and so forth that can be used, and we are then looking at that. And, if you'll remember a few years ago CARE offered to the Board the use of the [Note: I could not understand the name of the sampling device.] machine and our technicians free of charge and that offer still stands if you are interested.

The second one I would like to call to your attention is a letter from CARE, signed by me, and this reflects the feelings of our over two hundred members in the organization.

The next letter is from Charlie Tebbutt, and I believe he already emailed that in, I believe it is a duplication but anyhow, this is our CARE lawyer, Charlie Tebbutt, and he's representing again from a legal point-of-view, looking at the problem as CARE sees it here in the valley.

The next letter is from a local citizen here in Yakima, and she is really quite concerned about the lack of public representation on the board of non-industry people.

The next letter is also from a local citizen and it deals again with the lack of representation on the board here. And then the last letter is a response by a lawyer to a letter Mr. Pruitt wrote to Mr. Dyjack, and I just threw that in for additional information. Now, a personal comment, Mr. Pruitt has said that this simply is a policy and not enforceable, okay. Now we have a policy that is not enforceable, we have been told by EPA, by DOE and by the Department of Ag that the Best Management Plans are simply that, they are plans. Therefore they are not enforceable. They also have Best Management Plans that are secret, none of us as private citizens can get them. Even when we went to court it was very difficult for my lawyer to get copies of these plans. These are considered to be secret information and they can only be released if the dairyman wants to.

Now we have a policy that is not enforceable, we have Best Management Plans that are simply plans, and we do not, the public does not have access to any of these Best Management Plans. What does that leave us? It leaves us just like the make-up of the board, out in the cold. I am not asking that this process be stopped. What I am asking is that somebody represents the citizens here in the valley, the lower valley. There are over 40,000 of us that would like to speak out. There are over 40,000 of us that are being affected by 72 families that are running these dairy organizations/industries. We are not asking that they be chased out, we have never asked that. Every meeting you hear us speak at, and that's not just me, but their people you have pinpointed as a small little group of radicals. All we have ever asked is that the policies the regulations that are on the books be followed. That's it. We are not asking to get rid of anybody. We are just saying let's enforce regulations that are there on the books and were put there on the books to protect the people. And, I think that if we are going to be looking at something that affects over 40,000 of us in the valley, then there should be somebody on this board that is representation of that. We have great representation for the 72 farms/dairies, that are down there, where's the people. Where are the people that are being affected by this, and when we live in a County that has the highest cancer rate in the state, the highest diarrhea rate in the state, and the highest asthma rate in the state, and we live in a County that has the highest concentration of dairies in the state, maybe we should look at that and see that there is some connection. Maybe these people that are being affected by this should be able to come up and say something and be a part of forming this policy, and maybe putting some teeth in it so it can be regulated.

And, as far as the voluntary policy, the voluntary policy and the Best Management Practices is what got our valley into the poison wells that we have talked about before. So the voluntary policy does not work, it is not followed. It is just ignored. And it looks great on paper, it looks great for the public eye, but it is not something that is not workable, because there is no regulations that can be enforced. "Do you want to? No, I don't, it cost too much money."

I would also like to request, CARE brought up a Dr. D Williams, from Johns Hopkins University out of Baltimore, here to talk with you about the health effects of air pollution. And, I would like to ask that her comments be taken from the minutes, and be put into the comments on this particular situation too. (Let's see, I have one more thing I would like to say) This is not a local situation here, this is going on all over the United States, and we have a real good chance to be a

forerunner here, if we work as a total group, not work as a special interest group. So my request is not to stop this, my request is let's go on, but let's get some representation of the people, not just of the industry. Thank you.

Tom Gasseling thanked Helen Reddout. Ms. Reddout gave Gary Pruitt copies of letters.

(Letters presented to the Board of Directors are attached, and received as public comments)

Larry Fendell

Larry Fendell, Zillah, WA. I just have some questions I want to get answered on the thing. I want to start with Mr. Pruitt, if possible, he made a comment into the paper, and the paper is here today, I would like to have clarified because he mentioned that he has tried having both sides at meetings before and it didn't work out. I have been involved in this for over ten years now, and I would like to know when that meeting was. I have been through three enforcement officers, whatever Gary's title is, and I have been through three different people and never been asked one time, we showed up to the meeting and was asked to leave. And I want to know when it was tried, and who was involved in it, that he stated has happen in the past, because none of us ever remembered, Helen has been involved a whole lot longer than I have been. So, Mr. Pruitt, could you answer that?

Gary Pruitt's response: *We are going to receive your comments Jim, but I will answer the question later. This is a public comment period and we appreciate comments. You can offer your comments as questions, and they will be responded to in the explanatory statement.*

Larry Fendell continued: *Well the other thing is your expertise is in air quality, but you admitted you didn't have the expertise to show anything about the air quality but now we are into Best Management Practices, and you're an expert in dissolving those.*

Bill Lover responded: *Let's keep that conversation directed at us if you can.*

Larry Fendell responded: *Yes. Tom Gasseling added: This is to address the Board. Larry Fendell continued: Okay, Bill I am glad I saw you were on the second meeting, because I was concerned you only made it to the first one and hadn't been to another since according to the sheets we've been getting. Is that correct? Bill Love responded: That is correct. Larry Fendell responded: Okay, I am glad. Bill Lover continued: Sometimes I have other meetings, City Council Meetings. Larry Fendell continued: I am aware of that, but it has been put out there are two Board Members at these meetings in the paper and such, and I just wanted to have that clarified. Okay.*

Larry Fendell continued: *Bob, you have been involved in this. You said it was a good learning process. Ah, is there anywhere in this Policy that you have your fingerprints on this Policy? Any say that you have put into it from what you have seen and stuff? Bob Jones responded: Other than the input I have given to Gary and talked to him. It has been a very open process, Larry.*

Larry Fendell continued: *Okay, Tom. Ah, we've, there's been some emails recently and stuff you've said this to all of us at one time or another, and you said it to Jan through an email, and everything about this group and that group want the dairy industry gone. You've never heard that from any of us, and you've said*

Tom Gasseling responded: *I told you, give your points. I don't want to get this to a he said, she said, if you want to talk to me about my personal feeling later that is fine. Larry Fendell responded: But you have accused all of us of that, last month, this month and that's not right. You have never heard it from us. Don't say it because it is not true. Tom Gasseling responded: Well, all I will say is I have a right to*

say it, just like you have the right to accuse me of what you are saying. But this is not the issue. Talk to the facts. If you want to talk with me about it later, talk about those emails, we'll talk about them, but not here, this is no place.

Larry Fendell continued: *This is not in my deals or anything. I just wanted to get some answers from the Board, because, Mr. Pruitt making statements to the newspaper, nobody knows anything about, you making statements about us being, wanting the CAFOs gone and stuff, this isn't right to pass on. Tom Gasseling responded: That's my personal opinion Larry. Because, we have tried, and the reason I've said it, is because we have tried to move forward and when we don't move forward we get criticized, when we do, we do move forward, we get criticized. We can't win either way, and we always get told EPA is going to do this. Well, EPA is not doing anything, we are the people doing it and you ought to be happy we are moving forward instead at a snails' pace. That's, that. You and I can talk about that later.*

Larry Fendell continued: *The other thing is we asked for a third party to come in to help Mr. Pruitt in the deal to find out the problems outside the boundaries of, and that is what started this whole thing. Going through the records and stuff, find out that Mr. Pruitt and Mr. George had been working on this a couple of months prior to us even bringing it in, and it was another month or two before the Board stepped up and said we need to do something on this. I just find that interesting and that is why I am throwing it out so that you know that this is not all up front. It is not transparent at all. And then later in section 8, I think it is, will be another situation that has to be talked about.*

Bob Jones thanked Larry.

Tom Gasseling asked if there is anybody else wished to speak.

Steve George

Steve George, Dairy Federation. Just to set the record straight, the dairy industry did not start working on this project until we were invited to participate in the committee. And, Gary and I have known each other for several years, while Gary was actually still working under other administrators. Gary and I have had conversations periodically about what, could, should, or ought to happen in regards to clean air, not only in regards to dairies, but with agriculture in general. For a number of years I have served as his chair of the Agricultural Task Force, so I have been involved with Gary for a long time, and we have talked about things concerning agricultural emissions. So, just to set the record straight, the dairy industry did not start working on this until we were invited to participate.

Um, the other thing I would like to point out to both Bob and Bill is that you were asked if you provided any input to this process. Well, if it hadn't been for you two I don't think this process would have started. So, you initiated this process. And, I would also like to tell, you three, Tom in particular, since you have not participated in the sub-committee meetings, that we appreciate the professionalism that the staff has used concerning this process. And ah, they have worked with leading professionals in this field of air emissions from dairies, and that is why I think that the dairy industry has felt comfortable moving forward with Gary and his staff because they are using the professionals that are involved with this process and luckily we have two of them in this State that Gary has been working with. So, ah, it does work both ways. This industry does have to feel comfortable that they are being treated fairly. They are very willing to, and I would like to congratulate the industry for being so proactive in moving forward and willing to take on this additional burden, because it is a burden for them. Um, although they feel a lot of that expertise is already in place, and ah, they look forward to working with Gary's Agency to help document that. Thank you.

Tom Gasseling: *Thank you. And I would like to repeat what Steve just said, and I think, and you know, I have said this before too, and that it was Bob and Bill that really got this thing rolling. That started this whole process, so what their input is, I guess if it were nothing else more than just getting it started, ah, I*

would have to consider their involvement a tremendous success. Because, I didn't think they had a prayer in you know what, of getting anybody to talk, and they did. And, I think that is a real positive issue.

Tom Gasseling, Okay, thanks Steve, anybody else?

Tom Silva

Good afternoon, I am Tom Silva. I am a resident of Wapato, and I did not mean to be in such a familiar, lately being in an unfamiliar environment, with having been involved in this business for a while. Ah, I am somewhat being affected by this issue, and a, when it gets close to home, why, it gets you out of your retirement, and want to be able to do something about it and be able to help out with the problem.

I want to stress the fact that this Agency has been very good in solving issues in the past. As, you know we had the same situation with a particular industry, the fruit industry where there was a terrible problem and that there was some degree of reluctance on the industry to take care of the problem. I think we also had some history of being able to successfully address the more, publicly demanded, the problems associated with the wood stove, and we were successfully able to deal with that and became a model for the state. I think that this issue could be handled, and we could solve this problem. It is a matter of us, the Board has stated a matter of presenting the facts. And, there are facts out there that probably the rest of the public are not aware of, and there is a distrust that needs to be erased. And there is, this looming danger to our very important industry here of the main source of protein and main source of economic activity here. Not only in Yakima, but statewide. I think that is very important to address this issue, the liability that could be there. EPA is doing this fingerprinting analysis that could pin-point problems to specific sources for purposes of being able to address the situation and deal with it once and for all. I think that we ought to, I am not saying that we are not doing it fast enough, we got to be able to find out what is available out there to address it, so that we can take care of it. And the concerns of all these folks out here should not be taken lightly, because I would hate to see them get rich on the shoulder of our big industry here. So, I would like to be able to help out in a way that I could be, you know, participating in some of the on-goings here, at the Clean Air authority, and I could disseminate the information and get all the facts out to our folks here so they do not have this looming distrust of the way things are being done here with the authority. So, if I may make that request, you know, to not make this a closed door, just strictly business and Clean Air Authority and there, rather involve the public. And I would like to volunteer to be the liaison between the public and the way that things are being done here.

Tom Gasseling: Thank you Tom. Tom Silva responded: Thank you. Mr. Gasseling, anybody else?

Eric Anderson

How you doing? Eric Anderson, Friends of Toppenish Creek. Last month, just last month, I communicated to several of my friends that I would not be in any of these meetings again. So, I have been in for several, for a couple of years, and we tend to leave pretty frustrated at the process. Things never seem to get resolved. Things never seem to move along. Now, I have listened to sincere apologies from most here this morning, about the lack of progress and how most of us were going to be unhappy with the progress that you guys have made. You seem to be sincere gentlemen. I don't understand how you could have put this board together without any public input. I don't understand how you could have relied so heavily on the industry to give you suggestions on how to police themselves.

Now we understand, we know that there are several producers that are good folks that want to do the right thing. And, there are some that don't want to do the right thing, that persist in turning [Mr. Anderson's cell phone rang, Mr. Anderson, sorry guys] turning the air into just a rancid mess in the lower valley. And a, dumping dairy waste on frozen ground and moving in directions that are against their own Best Management Practices. But, I don't want to say they are Practices, I want to say they are "polite suggestions", because, there's no teeth in Best Management Practices. Unfortunately, at this

point most of us in the environmental community are looking for enforcement. We are looking for some mechanism to come forward and see the industry step forward and police itself, or with the help of government, and citizens, we would like to see the bad actors brought to justice. That's our sincere desire.

Now, Charlie Tebbutt has some extensive comments that he submitted on the Plan, and Charlie Tebbutt, is a wonderful environmental lawyer who has been active in this valley for a long time. And, I just want to take a second to read about a paragraph from Charlie Tebbutt's comments on the Plan that has gone down from here. This is from the second page, and I quote, "Overall, it would be quite challenging to devise a weaker means of controlling fugitive air emissions from dairy operations than the scheme concocted by the YCRAA." Now, I'm no expert, but Charlie is. Charlie has taken it step-by-step and gone through everything that has been proposed, and seeing that, there's no teeth in any of it, it just doesn't make sense to claim we are moving forward if there is no enforcement, and there is no responsibility to the public. Polite suggestions are not going to get it at this stage of the game.

Now, only a couple of weeks ago, downtown Harrah, in front of the elementary school, the air was so bad that people were giving children mask to wear, putting them on their faces as they got/came out of school. Something has got to be done here. Some responsible party, hopefully in government, needs to step forward, take care of this. No one wants the dairies to go away, even me. I don't want them to go away. I want them to be responsible. I want them to be responsible I want the provisions of the Clean Water Act and the Clean Air Act to be enforced. Children don't deserve that. We tend to look at the residents of the lower valley and the Reservation as expendable people. We are not expendable. We are not rich, we are not powerful, Native Americans, Hispanics we are not expendable people. We deserve a shot at clean air, clean water, we don't want any more bottled water we would like to have some real solutions, by real responsible public representatives. We'd like our public servants to serve all of us, not just the industry. I hope that can come forth. One more paragraph from Charlie Tebbutt's comments. Tom Gasseling interrupted by stating: I think, we have Charlie's already in the record, so I would just appreciate it if you would just make your comments, because, we already have it in the record. Mr. Anderson responded: Okay. Does everyone have a copy here? Bill Lover stated: He had followed it while he was reading it. Okay, great. Gary Pruitt, responded: We have it by email as well. Mr. Anderson responded: Okay, great.

Mr. Anderson continued. Charlie Tebbutt, I'll just paraphrase it then, will you go along with that. He believes it is time to put an end to the dairy industry complete domination of the regulatory agencies. Charlie believes that it is time to move away from the claims that this industry is over regulated, when in fact that the regulations are so obscure and so meaningless that the results is there is no regulations at all. We need to take a look at what's going on with government agencies and their relationship to the industry. We really would like the public servants to step forward and make a sincere effort. Also, I want to recommend that this Plan be abandoned and you start over with representatives from the public. Let's get some environmental people in here, let's get some representatives of the Hispanic community, let's get some representatives of the Tribe, to sit down and work things out together. We don't need to go on just dealing with industry, industry experts, industry agronomist; we don't need to keep going on with that. Please abandon, start over, bring in some of the public, and take the public advice, and let's move forward and save what's left to save down here. We are not expendable people in the lower valley. We may not be wealthy, but we're not expendable. Thank you.

Tom Gasseling: Thank you Eric. Just one comment, I'm from the lower valley, so I don't think I am expendable either, and so, and as I have said, I want to make it clear. I serve as this as a community service. I am not an elected official. I do it for a number of reasons. I believe in what we are doing. I believe I want to keep stuff local. Ah, and I want to see movement forward. When you say it has no teeth, I'll say, yes it will, because at a point, if the dairy industry sets down some guidelines that they have

agreed to, and whether it is where you want it to be, or I do, and they sign off on it. Yes they have kind of made it mandatory, even though it is not. But they have made it mandatory, and they have to live up to it. So, it is a positive thing.

But, I think that, you know, I just want to say, I'm not an elected official, and I don't like being, not anything against you guys, I don't like to be put in that light in the sense that I am some kind of bureaucrat. I farm. I got as much stake in this clean air in this valley and livelihood as anybody. Secondly, the Reservation, even though I have been an advocate that we should have authority, we have been told unequivocally that we have no jurisdiction whatsoever on that Reservation. None! And yet we have some dairies on the Reservation that are involved, or operation that are involved in these discussions, and moving forward. When in reality, they don't even have to talk to us because we don't have any authority there. So, we get lambasted for the Reservation, which I say we should have authority in this area, but we have been told in plain English by the EPA, we don't. We can't do anything on that Reservation. So, we are kind of in a zone there where, yes the Reservation is the single largest land mass in this County. And, what happens on the Reservation has a lot to do with what happens around. But, what we are trying to do is work with the Tribe, and Gary has done a great job of getting a better relationship with the Tribe and working with the businesses on there through the Clean Air to try to do this. So, it's not as, ah ah, cut and dried as, as a lot of people want to make it out to be.

And, again from my standpoint, I have a lot at risk in this deal, and I just want to see movement as a farmer, so that we are responsible in what we do and abide by the law, and we are good citizens. And, that is what I am trying to achieve here by working, getting the dairy industry to come to the table, getting other people to come to the table. Um, because I think that is what this whole Clean Air Authority is all about. A better air quality for our valley, period. And so, I just want to make that clear to everybody. That it's, we're not a bunch of bureaucrats up here. We're citizens of this County, and of this State, and of this country. And, we have just as much interest in seeing clean air because I have grandkids, you know, have children who live here, and I have people, my relatives that live on the Reservation. I have just as much at stake to see this clean air issue addressed as anybody. So, when you get mad at me, or these fellows here, remember we are not some kind of alien people, we are trying to move forward, and sometimes when you can't get two sides together, you get one side to start to move, and hopefully then you can bring the other side in. Okay, so.

Bob Jones wanted to make a comment.

Bill Lover: *Mr. Anderson, I have a question.* Mr. Anderson respond: *Yes. Okay.* Bill Lover continued: *Friends of Toppenish Creek, do you have a website.* Mr. Anderson responded: *No we do not have a website. Friends of Toppenish Creek was formed for one reason, and one reason only, to oppose a huge monster dairy that wanted to squat in our neighborhood.* Mr. Lover responded: *I just wanted to.* Mr. Anderson continued: *We came to this Board and to every other state agency to help us when that was in the process. They all couldn't help us. The courageous Yakama Tribal Council passed a Resolution to keep the Systma Family setting up a 10,000 animal dairy across the street from a National Wildlife Preserve and its threatened steelhead run in Toppenish Creek.*

Tom Gasseling: *Bob has something he wants to add.* Bob Jones: *I would like to answer a couple of things. Number one, I am the Mayor of a small city, and I am very proud of that. And, that small city is very well kept and very well maintained because I am a taskmaster to do that. Each and every one of you sitting out in that audience, that Helen referred to us as thinking that Larry and Jim as rabble rousers, no, I don't. Larry and Jim, because of their tenacity, the rest of you are here today. If they had not of been sitting here every meeting for I don't know how many years, and bringing this point forward. The rest of you wouldn't be here because we would have kept shrugging it off, and shrugging it off. So, each of you should pat them on the back. They got the process moving. Is it going to move slow, probably, but at least we are moving in a direction, we're not just stalemated here.*

Mr. Anderson: *You know, with all do-respect to your comments, especially Tom. The dairy industry should not be the ones to make up these regulations. They should have some input. But you guys should make them up. You guys shouldn't take a complete package from the dairy industry of what they are willing to do, what they are willing to stand up for, and then just put the rubber stamp on it.*

Bob Jones responded: *But we have not done that Mr. Anderson.* Mr. Anderson responded: *You have not done that yet.* Bob Jones continued: *We have not done that. The only way we can have a process is to go out and educate ourselves about that process. You wouldn't want me making decisions without seeing what the problem is.* Mr. Anderson responded: *You are absolutely right.* Mr. Jones continued: *But I took time. I spent an afternoon with Larry and Jim to find out what their problems are. Yes, they have problems. And, I have gone to the dairy industry to see what the other side is all about. Now, we can try to take the process one step further, and take it one step forward to make a healthier, cleaner valley that is better for everybody.* Mr. Anderson responded: *That's right. That is all we want.* Bob Jones responded: *That's all you're going to get.* Mr. Anderson continued: *We want to be able to breathe the air, we want to be able to drink the water. We want our grandkids to be able to come over here without gagging on the air. My grandkids don't want to come over here anymore, and that really makes me mad. You know, the wind is blowing the wrong way, we can't breathe. So, let's move forward together. Please consider putting some members of the public on this board so that you guys are at least above suspicion. We don't want to believe the worst about you, although the public doesn't think much of their elected representatives. The approval rate for Congress is 11%. I want to believe that you guys are sincere and that you are moving ahead. Let's get some other people in here and talk about it. That's all I have to say.*

Tom Gasseling: Okay, thank you, anybody else?

Gerald Geffrey

Gerald Geffrey, Moxee. *I live out East of Moxee; I was raised in the lower valley. I have been a resident of the Yakima Valley all my life. I would like to remind the Board that we keep talking about the lower valley, but the Moxee valley also has a problem with a huge dairy. It has really changed things out there. And so, you know, we want to be involved in this thing to, the people out in that area. But, another thing is, it was brought up was about the Tribe. In the past the Tribe has won suits over what was happening with water off the Reservation. So, you got to consider that, that may happen with air quality also, and that they have to be concerned with that. The thing I really wanted to talk about was I have heard a lot of stuff here. And, but, I have heard, even if this thing has any teeth in it, as enforceable, where's the money going to come from to hire the personnel to monitor it? Thank you.*

Tom Gasseling: *Thank you, any other questions or comments? If not, we'll close the.* Bill Lover: *One question before you close it.* Ms. Reddick asked for Dr. Williams' report here to be put into the public input. *I suggest we do that, does everybody agree?* Board responded: *Yes.* Gary Pruitt stated: *We can do that, we are also expecting detail comments from Dr. Williams sometime later today that will be put in the comments. If there is anything that isn't stated, we can certainly put it in the public comments, anyway.* Bill Lover responded: *That is where I would like to see it.* Gary Pruitt continued: *He had been communicated with her earlier in the week. We can do that.*

Tom Gasseling closed the public comment section.