



**Minutes of the February Meeting for the Governing Board of Directors**

**Location, Date and Time:**

**Yakima City Hall Council Chambers**

**March 11, 2010**

**Time: 2:00 p.m**

1. **Kevin Bouchey, Vice-Chair**, called the Meeting to order at 2:02 p.m.
2. **Clerk of Board – Roll Call** There was a quorum. Three members were absent.

<b>PRESENT WERE:</b>	
<b>BOARD MEMBERS:</b> Kevin Bouchey, County Commissioner–Vice-Chair Bill Lover, Large City Representative Dick Camp, County Representative	<b>STAFF:</b> Gary W. Pruitt, YRCAA Director Clerk of the Board Staff, Engineering/Planning Division Staff, Compliance/Monitoring Division Staff, Public Education Outreach Staff, Fiscal Program Manager
<b>LEGAL COUNSEL:</b> Gary Cuillier, Board Counsel	
<b>ABSENT:</b> Tom Gasseling, Member-at-Large, Chair John Tierney, Alternate, Small Cities Rep Rand Elliott, Alternate, Co Commissioner Bob Jones, Acting Small Cities Representative Micha Cawley, Alternate, Large City Rep	<b>VISITORS:</b> Larry Fendell, Citizen
	<b>MEDIA:</b> Bonnie Lozano, YPAC

3. **Additions and Deletions to Agenda** –Kevin Bouchey, Vice-Chair, asked if there were any additions and deletions to the Agenda. There were none.
4. **Public Comment** – There were none.

**CONSENT AGENDA**

- 5.1 By consent, approve Minutes of February 11, 2010;
- 5.2 By consent, accept and file Minutes of Special Board Meeting, February 17, 2010; and
- 5.3 By consent, accept and file, March Monthly Activity Report.

Bill Lover moved to approve Consent Agenda items 5.1 thru 5.3. Dick Camp seconded. Consent Agenda items were approved.

**REGULAR AGENDA**

6. **Update on Small Cities Representative Vacancy – Informational Only**  
Patty Walker, Clerk of the Board, provided updates. Staff thanked Kathie Fisher, Yakima County Elections Manager, for her help. Staff advised the ballot will be mailed today to the City Selection Committee. They have until April 9<sup>th</sup> to return their ballot. Staff informed Board a copy of this Executive Memorandum was sent to the City Selection Committee with a request they return their ballot to ensure representation during the Budget process. There was a short discussion on number of ballots needed. A copy of the City Selection Committee will be sent to Kevin Bouchey who will attend their next meeting.
7. **Director’s Report – Refer to written report for detail**  
Gary Pruitt, Director, reported on the following:  
Smoke Impact from Forest Service Burning - Staff reported that he and Dave Caprile met with the new Naches District Ranger, Ms. Irene Davidson. They discussed the burn conducted last fall, and hope to come to reach agreements that will balance their need to burn and ours to protect the public’s health. Staff is cautiously optimistic. Jim Bailey, who is in charge of the burning, will meet with Hasan Tahat to discuss future burns. Staff hopes that the upcoming meeting will be a path to a better understanding of forecasting that will enable them to burn and yet protect our public’s health.

Kevin Bouchey offered that the Commissioners had met with Ms. Davidson as well, and had a good dialog with her. Dick Camp questioned the effect of these burns on Green House Gas Reporting? Staff responded that we are encouraged with our meeting, and added it will have some effect, not sure how much at this time. The initial meeting with Jim Bailey is scheduled for April 21<sup>st</sup>.

STATE LEGISLATURE- Staff referred Board to the attached Bill Tracking and Status Report on Senate and House Bills: SHB 1864, Exemption from Local Assessments, on small cities on Reservations has stalled; SHB 2617 has stalled, Elimination of Certain Boards and Commissions, the Agricultural Task Force has not been disbanded as yet; HB 2980 Changing Fees for certain types of Agricultural Burning has passed. HB 2980 will increase the cap for fees from \$2.50 per acre to \$3.75, and pile burning \$1.00 per ton rather than by acreage.

FEDERAL LEGISLATURE– Staff reported that we are watching the EPA Budget and Greenhouse Gas Legislation on reporting of Green House Gas. The Senate and House are not agreeing on Greenhouse Gas Legislation. Staff will continue to work with both national and state air groups as well as our State and Federal Legislators on these issues.

Staff advised the Presidents FY 2011 budget request was announced February 1<sup>st</sup>. Unofficially, the budget request includes an increase of \$82.5 million for state and local clean air grants (Sections 103 and 105). The budget may include \$15 million for monitoring, \$25 million for implementation of the Greenhouse Gas tailoring rule, and the remaining for core programs subject to Senate and House approval. Staff will keep Board advised when they know more.

Reserved for late developing issues – First Time Violators Receiving Penalties – Staff provided Board with excerpts from the Administrative Code Part B, Compliance, Appendix E – Enforcement Policy, and FY 2010 PM<sub>2.5</sub> Emission Reduction Project Plan – 3.2.2 Enforcement. Staff read the Standard Procedure to Address Violations and stated that penalties are used as deterrents for violators. Kevin Bouchey gave background for this issue. A constituent had contacted him about a penalty he received as a first time violator for using his wood stove during a curtailment. Mr. Bouchey and Tom Gasseling were under the same impression that first time violators did not receive a penalty. Mr. Bouchey continued that the citizen was not aware there was a Stage II burn ban in place on December 1<sup>st</sup> when he used his stove.

Discussion followed by Staff and Board Members on the penalty process and why first time violators received penalties for burning during a Stage II Curtailment. Staff gave protocol to notify the media and change the burn message on the phone system when a curtailment is called. The Stage Two Curtailment in question began, November 30, 2009. Staff did not patrol for the curtailment on that date, but did the following day, December 1<sup>st</sup>. Staff provided Board with information on how the penalty amount of \$400 was determined, the Informal Mutual Settlement Meetings and Agreements which mitigated the penalty down to \$100. Dick Camp and Bill Lover felt that the penalties assessed were a deterrent.

This topic will be discussed further when staff presents the final report for the FY 2010 PM<sub>2.5</sub> Emissions Reduction Project. That concluded the Director's report.

### **ACTION ITEMS**

- 8. Fiscal Program Report – Approve Accounts Payable, Payroll**  
Ms. Christa Owen, Fiscal Program Specialist, began with February Accounts Payable in the amount of \$86,403.89; of which \$69,540.92 is for Woodstove Change-Out, and payroll in the amount of \$68,173.46. Staff asked for Board approval. Dick Camp moved to approve accounts payable and payroll. Bill Lover seconded. Motion was approved.

Staff referred Board to the Supplemental Income and Budget Verification Analysis. Staff asked if there were any questions. There were none. That concluded the Fiscal Program Report.

### **DIVISION/PROGRAM REPORTS**

**Refer to written reports for clarity.**

**9. Accept Engineering and Planning Division Report**

Hasan Tahat, Division Supervisor, reported that he attended a meeting with EPA, Department of Ecology and the Yakama Nation to discuss the \$50,000 smudge pot grant. It will be implemented by the Yakama Nation within the borders of the Reservation. Staff reported Federal Mandatory Green House Reporting Rules are finalized and became effective December 29, 2009. The first annual reporting will be due to EPA, March 31, 2011 for Calendar Year 2010. Staff provided Board with the list of industries required to report. Staff continued with those in our area that will be required to report their Green House Gas Emissions.

Staff continued with a summary of the Engineering and Planning Division activities for February. Staff reported that a Renewal Title V permit will be completed in about five days. Staff is waiting for comments from EPA. If they have no comments the permit will be issued. Staff asked if there were any comments or questions. There were none. That concluded the Division Report.

**10. Accept Compliance and Air Monitoring Division Report**

Keith Hurley, Division Supervisor, stated that 20 air monitoring samples were collected and shipped for analysis. Speciation Monitor samples have been reduced to a 1-in-6 sampling period.

The Compliance Division report included a list of complaints and Notices of Violation by type. Staff reported on the Compliance Division's activities for February. The minor source inspector is involved with Northwest Opacity Certification (NOC). There will not be any source inspection reports for March.

Staff gave the FY2010 PM<sub>2.5</sub> Emissions Reduction Project Report. Compliance focus was on solid fuel burning devices. CWI Security was issued the required thirty day notice of termination for their services, effective April 1, 2010. Staff referred Board to the Project Report. Staff received six applications for exemption, and approved five. Four were referred to the Wood Stove Change-Out Program. Staff asked if there were any questions. There were none. That concluded the Division report.

**11. Accept Public Information Program Report**

Dave Caprile, Public Information Officer reported on the Wood Stove Change-Out (WSCO) and Wood Stove Rebate Programs. In February there were 17 stoves changed out with five pending. A total of 113 stoves have been changed out, or in progress. The remaining \$26,000 will accommodate six or seven more stoves. The program has accrued \$27,400 in leveraged funds. Staff reported from 1993 to present the Wood Stove Change-Out and Rebate Programs have changed out 1066 uncertified wood stoves and inserts in Yakima County.

YRCAA hosted a meeting with WSCO partners on February 19<sup>th</sup> to share program progress, current status, and the potential program for next year. Staff is currently looking for other sources to fund a program as the prospect of a grant is dismal.

Staff reported on other events they participated in; the Sunrise Rotary Club on February 17<sup>th</sup> and the Yakima Area Asthma Coalition on February 19<sup>th</sup>. Staff asked if there were any questions or comments. There were none. That concluded the Program report.

**12. Other Business & Adjournment**

Kevin Bouchey asked if there was any other business. There was none. Dick Camp moved to adjourn. Bill Lover seconded. Meeting adjourned at approximately 3:10 p.m.

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Kevin Bouchey, Vice-Chair

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Patty Walker, Clerk of the Board

**Audio CD of this meeting is available at the YRCAA.**  
*Minutes submitted to Board for approval April 8, 2010.*