



Minutes of the August Meeting for the Governing Board of Directors

Location, Date and Time:

Yakima City Hall Council Chambers

October 14, 2010

Time: 2:04 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. All members were present.

<p>PRESENT WERE:</p> <p>BOARD MEMBERS: Tom Gasseling, Member-at-Large, Chair Kevin Bouchey, County Commissioner–Vice-Chair Bob Jones, Small Cities Representative Bill Lover, Large City Representative Dick Camp, County Representative</p> <p>LEGAL COUNSEL: Gary Cuillier, Board Counsel</p> <p>ABSENT: John Tierney, Alternate, Small Cities Rep Rand Elliott, Alternate, Co Commissioner Micha Cawley, Alternate, Large City Rep</p>	<p>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</p> <p>VISITORS: Jim and Linda Dyjack, Citizen Larry Fendell, Citizen D’Ann Williams, Dr., PH Jerry Craig, US EPA Rick Watlamet, YIN Rebecca Hawk, YIN Katherine Smalley, YVFWC Griselda Arias, YVFWC Sandy Halstead, US EPA Region 10 Wendell Harrigan, Citizen Laurie Porter, Citizen Jean Mendosa, Citizen Joanne Cornwall, YNEMP Other citizens not listed</p> <p>MEDIA: Bonnie Lozano, YPAC Dave Lester, Yakima Herald Republic</p>
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3. **Additions and Deletions to Agenda** –Board Chairman, Tome Gasseling, asked if there were any additions or deletions. There were none.
4. **Public Comment** –Board Chairman, Tom Gasseling, asked if there were any public comments. Laurie Porter had a question regarding the policy making process, will staff consult with the Yakama Nation and will heifer feeding operations be included? Ms. Porter feels including the Yakama Nation would be beneficial to everyone.

Gary Pruitt responded that the Agency is coordinating advising EPA through the FARR program. Gary described the active and interested party lists as being kept informed on the program. We are working through the FARR representative, Gary Olson, US EPA Region 10, and not through the Tribe as the Tribe is not over Federal rules. Not having jurisdiction over the Reservation, we cannot ask them to comply with our policy. We believe that there will be compliance through influence and EPA. We will take comments from anyone, including those on the Reservation, on this Policy prior to taking it to the Board.

Rick Watlamet, Yakama Nation Tribal Councilman, and Member of the Land Commission, was disturbed to hear that the Tribe does not have a say in the forming of this policy. The Tribe maintains jurisdiction within the exterior boundaries of the Yakama Nation Reservation.

Mr. Watlamet continued that he would like to have a government to government discussion on this matter, and would appreciate Gary Pruitt meet with the Tribe on this issue. The Tribe wants to look for solutions and ways to work together. Gary Pruitt responded that YRCAA recognizes the sovereignty of the Nation and their right to maintain their sovereignty. Staff continued that we have been working through EPA with air quality and regulations. Staff added that he would be honored to meet with the Tribe if he were invited, and offered that the Tribe, if they choose, could use any part of this Policy. Staff thanked Mr. Watlamet for being at our meeting.

As there were no others to address the Board, that closed the Public Comment period.

CONSENT AGENDA

- 5.1 By consent, approve Minutes of September 9, 2010;
- 5.2 By consent, accept and file September, 2010, Monthly Activity Report.

Bob Jones moved to approve Consent Agenda items 5.1 thru 5.2. 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 third meeting of the Workgroup was held September 30th at the DeVries Dairy. Other than staff members attending were, Bob Jones, Steve George, Dairy Federation Member, Tom DeVries, dairy owner and Bill Wavrin, dairy owner, Stuart Turner, consultant, and Robin Priddy, Benton Clean air Agency Director. Mr. Devries guided a site visit of the dairy operation and explained management practices which reduce emissions for different aspects of operation (nutrition, housing, waste management, nutrient land application, etc.) Staff continued with a summary of the visit, their meeting, and discussion following the site visit, and a Resolution that defines the scope, purpose and limitations of the workgroup. Summary will be presented for approval by the work group at their October 28th meeting, and be available at the November Board Meeting. Staff hopes to have a Draft Policy to present at the October Workgroup meeting.

Staff discussed the size and scope of appendices for the Policy which entails many hours of work. The appendices will be the bulk of the Draft Policy. Once the Draft is approved by the Work Group, it will be brought to the November Board Meeting.

City of Toppenish – Staff reported attempts for a settlement over the Supplemental Income dispute, has been in vain. Counsel is pursuing filing the complaint with Superior Court.

2011 Permit Fees – Staff has begun an analysis for 2011 Permit Fees. A recommendation will be brought to the November meeting. Staff reminded Board that the increase for 2010 was not approved, and we need to catch up. At this time it appears the increase will be minimal.

Federal Budget – Staff reported that there is still no new Federal budget and under the current budget. There may be one in December if approved it will be a slight increase.

That concluded the Director's report.

Larry Fendell had questions on the Director's Report. Mr. Fendell commented and asked questions about the Work Group Summary. Of the 4,000 cows at the Sunny Dene Dairy, how many are milkers and how many are heifers? Staff responded that he did not know. That is the reason we are doing this policy so we can get this information. We do know there is a mix, but not sure this is an accurate number of cows.

Mr. Fendell continued with a discussion on the feed practices, and growing practices of alfalfa hay, flies and other issues. Staff responded that this is a summary of the meeting only and not verbatim minutes of it. Staff continued it was reviewed by the Workgroup prior to including it in this report.

ACTION ITEMS

7. **Resolution 2010-11 – To Define Purpose and Scope of the Dairy Emissions Work Group.**
Staff gave background on the Dairy Emissions Work Group, the purpose for it, and scope of work for the Work Group. Staff continued that Resolution 2010-11 appoints and defines the duties of the Work Group Chair, Gary W. Pruitt, Air Pollution Control Officer, and defines and limits the duties of the Work Group.

Staff continued with a summary of work accomplished at previous meetings with the Work Group. There was a question as to decision making by the work group. Staff stated there had been none.

Tom Gasseling asked for any comments on the Resolution. There was discussion by Board Members, Bill Lover suggested that 2 a., have an addition of “with Board approval”. There was discussion by Board on if this was a standing or ad-hoc committee, how long the tenure of the committee members, and if the members should have a term they would serve. Board asked staff to bring this back at the next meeting. There was discussion on the purpose for the Resolution, and the work usage of “form” versus “inform”, it remained “inform”.

After discussion it was determined to leave the Resolution as presented. Bob Jones moved to approve Resolution 2010-11, as stated. Bill Lover seconded. Resolution 2010-11 was approved.

8. **Fiscal Program Report – Approve Accounts Payable, Payroll**
Ms. Christa Owen, Fiscal Program Manager, began with Accounts Payable in the amount of \$8,796.66, and payroll in the amount of \$61,208.64. Staff asked for Board approval of payroll and accounts payable. Kevin Bouchev moved to approve accounts payable and payroll. Dick Camp seconded. Motion was approved.

Staff referred Board to the Budget Verification Analysis that was provided to the Board Meeting, and Supplemental Income. 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 Dr. Frank Mitloehner, has conflicting schedules and may not be able to attend this fall.

Staff made a presentation on the Dairy Emission Policy during the Study Session. Staff asked if there were any questions. Tom Gasseling asked how the Policy will be enforced. Gary Pruitt responded that if the dairy operators work within their Air Quality Management Plan (AQMP), we will not have to enforce it. There will be site inspections to ensure they are working within the criteria of the Best Management Practices (BMPs) they have selected and if they are effective. Staff described the format of the AQMP, any changes or modifications to their plans, points for each pollutant, effectiveness to reduce emissions, technology and costs. The dairy operators will make their selection of which BMPs they will use. Discussion continued on BMPs and AQMP. Operators will demonstrate they are using reasonable precautions to reduce emissions.

Rick Watlamet formally requested that the Tribe be represented in the Workgroup. Mr. Watlamet continued with other issues that are impacted by dairy operations. Staff responded with information on emission reduction and pollutants. Staff stated we do not have jurisdiction over water.

Bill Lover then asked about the spike shown on the air quality graphs that occurred in August. Staff responded that the spike was from the fires in Canada.

Staff then gave an update on activities for the Division and stated that residential outdoor burning ends this month. That concluded the Engineering and Planning Division report.

10. Accept Compliance and Air Monitoring Division Report

Keith Hurley, Division Supervisor, referred Board to the activities and number of complaints responded to during September.

Staff commented briefly on compliance role in the Dairy Emissions Workgroup. Staff suggested everyone look back at the purpose of the Workgroup and protecting public health of area residents.

October 1st once again marks the beginning of the 2010-2011 PM2.5 Reduction Project. The primary focus of this project again will be combustion sources, primarily wood stoves and outdoor burning, which are the primary contributors of PM2.5 and thus, protect public health.

Staff continued with information on the Speciation Sampling which started October 1st. It was discontinued in April due to changing the sampling frequency from a 1-in-3 schedule to a 1-in-6 schedule.

Staff requested help from Board to work with their permitting issuers and letting them know of our requirements. There has been an uptick in the number of customers who, after receiving an NOV, declare that they were not told of the applicable requirement to visit us especially in Demolition and Renovation projects to any structure, or commencing any new construction. This will help staff in serving our customers.

Staff asked if there were any questions. There were none. That completed the Division report.

11. Public Information Program Report

Dave Caprile, Public Information Officer, reported work on the Compliance Assistance Program (CAP) for the website continues. Staff is currently developing a Burn Status page with the intent of implementation for the upcoming home heating season. The public, stakeholders, can sign up to receive automatic notifications to changes in the burn status, i.e., burn ban initiations, upgrades, downgrades and cessations.

Staff is preparing a public notice to advise the public that the period for Outdoor Residential Burning ends October 15th. Information will be sent to local media departments. Staff is continuing to improve and update informational brochures, focusing on literature for the upcoming PM2.5 reduction program.

Staff concluded with updates being made on the Public Information Board that greets visitors as they come into our office.

12. Other Business & Adjournment

Kevin Bouchey, Vice- Chair, asked if there was any other business. There was none. Bill Lover moved to adjourn. Dick Camp 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.
Minutes submitted to Board for approval November 10, 2010.