



Yakima Regional Clean Air Agency

*Yakima Regional Clean Air Agency
Agencia Regional de Aire Limpio de Yakima*

Meeting of the Board of Directors June 2025

**Reunión de la Junta Directiva
Junio 2025**

June 12, 2025

12 de Junio de 2025

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Members of the public may submit comments to the Board by: a) speaking in person or remotely (see below) during the public comment period of any meeting; b) mailing them to 186 Iron Horse Ct. Ste. 101, Yakima, WA 98901; or c) sending them via electronic mail to admin@yrcaa.org.

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La agencia Regional de Aire Limpio de Yakima (YRCAA) ofrece interpretación gratuita de reuniones públicas y traducción de documentos de la junta. Para solicitar la interpretación de esta reunión de la Junta Directiva, obtener una traducción de este documento o proporcionar comentarios públicos en esta reunión en un idioma que no sea inglés, llame al 509-834-2050 extensión 100 o envíe un correo electrónico a admin@yrcaa.org al menos 72 horas antes de la reunión.

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La Agencia Regional de Aire Limpio de Yakima (YRCAA) no discrimina por motivos de raza, color, origen nacional, discapacidad, edad o sexo en la administración de sus programas o actividades. La YRCAA no intimida ni toma represalias contra ningún individuo o grupo por haber ejercido sus derechos de participar u oponerse a acciones protegidas por 40 C.F.R. las Partes 5 y 7 o con el propósito de interferir con tales derechos en violación del Título VI de la Ley de Derechos Civiles de 1964; Sección 504 de la Ley de Rehabilitación de 1973; la Ley de Discriminación por Edad de 1975, todas modificadas.

Comentarios Públicos

Los miembros del público pueden enviar comentarios a la Junta por: a) hablando en persona o de forma remota (ver a continuación) durante el período de comentarios públicos de cualquier reunión; b) enviándolos por correo a 186 Iron Horse Ct. Ste. 101, Yakima, WA 98901; o c) enviándolos por correo electrónico a admin@yrcaa.org.

Acceso remoto

Las reuniones se transmiten y retransmiten en el Canal de Acceso Público de Yakima (Y-PAC). Para ver un cronograma actual, visite www.yakimawa.gov/services/yctv. Los comentarios públicos se pueden ofrecer de forma remota a través de Zoom video o conferencia telefónica. Consulte la agenda para obtener la URL, el ID de la reunión y los números de teléfono (es posible que se apliquen cargos de larga distancia). Levante su mano virtual (*9 en un teléfono) para ser reconocido.

Regular Meeting of the Board of Directors

June 12, 2025 – 2:00 P.M.

Yakima City Hall; 129 N Second Street; Yakima, Wash.

Duration – 1 hour (estimated)

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Changes to the Agenda**
- 4. Public Comments**

The public may address any matter relevant to the business of the Board at this time. Please state your name and the item you wish to address. Comments are limited to three (3) minutes per person.
- 5. City Representative Introduction**
- 6. Board Meeting Minutes for May 8, 2025**
- 7. Vouchers and Payroll Authorization Transfer for April 2025**
- 8. Vouchers and Payroll Authorization Transfer for May 2025**
- 9. Final FY 2025-26 Budget**
- 10. Resolution 2025-01 – Adopting a Supplemental Income Assessment Rate**
- 11. Resolution 2025-02 – Adopting the Fiscal Year 2025-26 Budget**
- 12. Executive Director’s Report**
- 13. Other Business**
- 14. Executive Session – 30 Minutes**
 - Executive Director Performance Review
- 15. Adjournment**

Reunión Ordinaria de la Junta Directiva

12 de Junio de 2025 – 2:00 P.M.

Ayuntamiento de Yakima; 129 N Second Street; Yakima, Wash.

Duración – 1 hora (estimativo)

ORDEN DEL DIA

- 1. Llamado a Orden**
- 2. Pase de Lista**
- 3. Cambios al Orden del Día**
- 4. Comentarios del Públicos**
El público puede abordar cualquier asunto relacionado con los asuntos de la Junta en este momento. Indique su nombre y el artículo que desea abordar. Los comentarios están limitados a tres (3) minutos por persona.
- 5. Presentación del Representante de la Ciudad**
- 6. Acta de la Reunión de la Junta del 8 de Mayo de 2025**
- 7. Vales y Autorización de Transferencia de Nómina para Abril de 2025**
- 8. Vales y Autorización de Transferencia de Nómina para Mayo de 2025**
- 9. Presupuesto Final para el Año Fiscal 2025-26**
- 10. Resolución 2025-01 – Adopción de una Tasa de Evaluación de Ingresos Suplementarios**
- 11. Resolution 2025-02 – Adopción del Presupuesto para el Año Fiscal 2025-26**
- 12. Informe del Director Ejecutivo**
- 13. Otros Asuntos**
- 14. Sesión Ejecutivas – 30 Minutos**
 - Evaluación del Desempeño del Director Ejecutivo
- 15. Conclusión**

Zoom información

URL: <https://us06web.zoom.us/j/6058007569>

ID de reunión: 605 800 7569

Número de teléfono: 253-215-8782 or 253-205-0468

Si desea asistir a la reunión de la junta de YRCAA y requiere una adaptación debido a una discapacidad o necesita servicios de interpretación o traducción, llame al 509-834-2050 ext. 100 o envíe un correo electrónico admin@yrcaa.org.

The City Selection Committee was convened as required pursuant to RCW 70A.15.2010-2020. Meeting announcements were published in the Yakima Herald-Republic, Sunnyside Sun, Grandview Herald, and El Sol, a press release was provided to television and radio station outlets, and the agenda was posted to the Agency web site. The meeting was open to the public and accessible via video-conference (with details provided in the posted agenda).

1. Call to Order

Thornsbury called the meeting to order at 6:23 p.m. in the conference room, Yakima Regional Clean Air Agency; 186 Iron Horse Ct. Ste. 101; Yakima, Washington. The start of the meeting was delayed until a quorum was achieved. Thornsbury welcomed the mayors present and explained the statutory duty to convene the committee when a vacancy in one of the city representative positions occurs.

2. Roll Call

All members of the committee present stated their name and the city for which they serve as mayor. Quorum was established with the presence of nine out of fourteen mayors.

Mayors: Roger Bell, City of Selah
 Dean Broersma, City of Sunnyside
 Patricia Byers, City of Yakima
 Margaret Estrada, City of Wapato
 Hilda Gonzalez Ed.D., City of Granger
 John Hodkinson, City of Union Gap
 Ashley Lara, City of Grandview
 Rachel Ruelas, City of Mabton
 Elpidia Saavedra, City of Toppenish

Staff present: Marc Thornsbury, Executive Director

3. Introduction

Thornsbury briefly explained the process of accepting nominations and appointing a representative to the Board. He added the group would need to select a chairperson for the committee.

4. Selection of Chairperson

Byers nominated Roger Bell. Lara seconded. By consensus, the committee selected Bell as chairperson.

5. Public Comment

No members of the public were in attendance.

6. Nominations

Bell opened the floor to nominations for a city representative to the YRCAA Board of Directors. Lara nominated Hilda Gonzalez. Broersma asked if the appointee was required to be a mayor or could be another elected representative. Thornsbury stated the person could be a mayor or another elected city representative. Estrada seconded the nomination of Gonzalez. Gonzalez accepted the nomination. Bell asked for any other nominations. None were offered.

7. Selection of Appointee

Bell called for a vote to appoint the sole nominee, Hilda Gonzalez. Gonzalez appointed on nine aye votes, zero nay votes, and no abstentions.

8. Adjournment

Byers moved to adjourn. Gonzalez seconded. Motion passed. Bell adjourned the meeting at 6:31 p.m.

Roger Bell, Chairperson

Marc Thornsbury, Executive Director

1. **Call to Order**

Vice Chairperson Deccio called the meeting to order at 2:01 p.m. in the council chambers, Yakima City Hall; 129 N Second St.; Yakima, Washington.

2. **Roll Call**

Thornsbury conducted roll call and declared a quorum present.

Board members: Amanda McKinney, County Representative, Present
Steven Jones, Ph.D., County Representative, Present
Janice Deccio, Large City Representative, Present
(vacant), City Representative
Ranie Haas, Member-at-Large—Alternate, Present
Staff present: Marc Thornsbury, Executive Director

3. **Changes to the Agenda**

Deccio asked if there were any changes to the agenda. None were requested.

4. **Public Comment**

Deccio asked if there were any public comments. Thornsbury noted comments regarding the budget would be taken during the public hearing.

Sandy Braden, Friends of Toppenish Creek (FoTC), asked when the city representative position previously held by Jose Trevino would be filled. Thornsbury stated it was anticipated the position would be filled by the end of the month. McKinney reminded those present the public comment period allows persons to make a statement and is not for interaction with the Board. She suggested any questions be presented to Thornsbury at the end of the meeting.

Carole Degrave expressed concern regarding dust from crushing operations at the DTG Landfill in the mine area and recycled concrete and asphalt areas. She stated the calculations conducted by Agency staff do not represent the true amount of dust released into the adjacent neighborhoods and trails five days per week from 6am to 6pm. Degrave noted the crushing of mined aggregate often continues until 9pm or 10pm and suggested an elaborate monitoring system is necessary to determine the true air quality around the facility when taking into account the days and hours of operation, the number of containers and trucks received, the materials accepted, the wind velocity and direction, the material covering the site, the machinery operated on the site, and the inability of the Agency to guarantee a [scheduled] inspection once per year.

5. **Public Hearing – FY 2025-26 Budget**

Deccio opened the public hearing concerning the Agency fiscal year 2025-26 budget and asked for public comments. None were received.

Jones asked if Thornsbury had a perspective on budget reductions based on reductions to the state budget. Thornsbury replied he did not. He explained the recently proposed federal budget for the EPA—including grant programs—called for a reduction of nearly fifty-five percent (55%), adding while the reduction is unlikely to remain at that amount, with such a large proposed cut, it seems

reasonable to assume a reduction of some kind will be included in the final budget. Thornsby noted whether the reduction is ultimately five percent (5%) or thirty percent (30%) is unknown, but the request is substantial and if even a fraction of the requested reduction occurs, the Agency is likely to see a financial impact—unless the grant programs are exempted from the reduction.

Jones noted it appeared the Washington House and Senate budgets did not call for a reduction in funding to the Dept. of Ecology. Thornsby noted more of the monies received by the Agency are from federal, not state, funds and explained the state funds are typically allocated for specific programs such as wood smoke reduction and monitoring. He stated funding for wood smoke reduction could be constrained, but funds for monitoring are likely to remain the same.

McKinney remarked the substantial reduction in federal funding for various programs is the result of the American public concluding the existing regulatory environment is excessive, adding the best method to reduce excessive regulation is to reduce the funding available for it.

Jones asked if the Agency was the only one that conducted activity under the wood smoke education program. Thornsby explained the Agency partners with the Benton Clean Air Agency to run ads regarding the dangers of wood smoke largely because the two share a common television market and it is a more efficient use of funds. He added he was not aware as to whether the Agency was the only one engaged in wood smoke education. Jones asked about the “smoke school”. Thornsby stated the Agency did operate the Northwest Opacity Certification program and understood it was the only clean air agency in the state to offer this certification, noting staff from the Dept. of Ecology and other clean air agencies go through the certification program offered. He explained there is little financial incentive for multiple providers because the market is small.

Jones noted the budget information described a three percent (3%) cost-of-living adjustment (COLA) to wages and benefits. Thornsby explained it was anticipated inflation would be at or less than that amount and this would ensure funds were available to allow for an adjustment to be implemented. He added the last time it was checked, inflation was around two and two-tenths percent (2.2%). Jones stated wage and benefit increases have always been done by resolution and requested the COLA be removed from the budget. McKinney concurred with Jones.

Thornsby asked if the request was to account for an increase in the budget but adopt one specifically. McKinney stated the request was to present a budget with no increase in wages and benefits. Thornsby asked if the expectation was that the next meeting would include a budget without an increase and a proposed resolution adopting an increase or nothing at all. Jones stated it should be nothing and the Board could adopt an increase at some later date. McKinney stated the County handles such matters through a budget amendment.

6. Board Meeting Minutes for April 10, 2025

Deccio asked if there were any changes to the minutes as presented. Thornsby noted Commissioner McKinney had attended the previous meeting via teleconference and the audio quality was poor at times. He stated he had attempted to correctly record McKinney’s remarks, but asked McKinney to review and confirm the accuracy of the minutes concerning her statements. McKinney noted she had described the targeting of the agricultural community in the county as “despicable”, not “contemptible”, and asked that the minutes reflect the term used. McKinney moved to adopt the minutes as amended. Jones seconded. Motion passed 3-0.

7. Executive Director's Report

Thornsbury noted recruiting efforts are ongoing and substantial time has been spent on budgetary issues. He explained work continues on internal procedures—particularly with respect to new staff being brought on board—and streamlining technology systems to allow the Agency to be more responsive and timely. Thornsbury stated these would continue to be a focus in the coming months and remarked some additional effort would be spent on grants as many of the funding cycles will be restarting with the closing of the state biennium at the end of June. He also explained considerable work is being invested in modifying the framework for the permit documents produced by the Agency to streamline them and make them more understandable for the public and permittees. Thornsbury added finding adequate time to devote to this work has been challenging.

McKinney noted there is a considerable amount of staff shuffling occurring across local, state, and federal jurisdictions, commended Thornsbury on his efforts, and suggested these conditions are the new “normal” going forward. She expressed hope that along with fewer people there would be less regulation and, consequently, less to do, allowing Thornsbury to manage well.

8. Other Business

Jones asked for information concerning the appointment of a city representative to the board. Thornsbury stated achieving a quorum of mayors was challenging, noting that with fourteen (14) incorporated cities and towns in Yakima County, this required the participation of eight (8) mayors. He added it was expected a new member would be appointed by the end of the month and attend the next board meeting in June. Thornsbury noted the appointment would be a month later than anticipated. McKinney stated this was not uncommon and related a situation with another board that, ultimately, was forced to amend its bylaws to lower the quorum requirement due to difficulties in achieving adequate mayoral participation. She added it is worth remembering mayors work part time despite considerable demands on their time and board membership is an added responsibility. She expressed appreciation for their efforts.

Jones asked if it would be possible to add the Agency hours of operation to the home page of its web site. Thornsbury stated he would investigate.

9. Adjournment

McKinney moved to adjourn. Jones seconded. Motion passed 3-0. Deccio adjourned the meeting at 2:20 p.m.

Janice Deccio, Vice Chairperson

Marc Thornsbury, Executive Director

04/08/2025

Accounts Payable

YRCAA Fund: 614-6140
Enterprise Fund: 614-1410

<u>Name</u>	<u>Warrant No.</u>	<u>GL No.</u>	<u>Amount</u>	<u>Date</u>
Abadan Reprographics	36206	3101	685.90	4/10/2025
Carl Brookshire	36207	4106	404.35	4/10/2025
Charter Communications	36208	4201	381.33	4/10/2025
Dept. of Ecology Cashiering Unit	36209	4902	3,128.00	4/10/2025
Mark Edler	36210	4306	600.00	4/10/2025
Fosseen's Home & Hearth	36211	4105	5,611.10	4/10/2025
Jose Gutierrez	36212	4306	600.00	4/10/2025
Invisible Ink	36213	4201	90.00	4/10/2025
J & K Wood & Pellet	36214	4105	1,250.00	4/10/2025
KeyBank	36215	Various	65.99	4/10/2025
MS Yakima Group LLC	36216	4901	2,036.00	4/10/2025
Deann Moorel	36217	4105	100.00	4/10/2025
Terrace Heights Sewer District	36218	4701	125.00	4/10/2025
The Print Guys, Inc.	36219	3101	468.10	4/10/2025
Valley Manufactured Housing, Inc.	36220	4901	766.00	4/10/2025
Yakima County Public Services- Utility Di	36221	4701	25.78	4/10/2025

Total

\$16,337.55

* Grant Reimbursement

** NOC/Enterprise

I hereby certify the invoices and warrants described above for the Yakima Regional Clean Air Agency have been examined, audited, and approved for payment.

Sherrie Springer
Primary Auditing Officer

(DATE)



**Payroll Reimbursement
March**

Gross Wages		\$	40,364.19
ER Taxes Paid		\$	578.89
ER Medical Paid		\$	7,777.26
Pers 1 ER Paid	-	\$	-
Pers 2 ER Paid		\$	3,206.03
Pers 3 ER Paid		\$	397.26
SUTA		\$	108.98
L & I		\$	1,341.03
Benefits		\$	-
Bank Charges			
Other	-		
Miscellaneous		\$	-
Total Payroll		\$	53,773.64

Sherrie Springer (DATE)
Primary Auditing Officer

Marc Thornsbury (DATE)
Secondary Auditing Officer

Jon DeVaney (DATE)
Board Chairperson

YAKIMA REGIONAL CLEAN AIR AGENCY
SUPPLEMENTAL INCOME STATUS for CY 2025 on May 1, 2025
CY 2025 \$.48 PER CAPITA (Rounded Amounts)

City/Town	Past Due	Assessment Amount	Total Amt Due	Date Received	Amount Received	Balance Due	Responses
Grandview	\$ -	\$ 5,951	\$ 5,951	3/3/2025	\$ 1,488	\$ 4,463	Paid 1st Qtr
Granger	\$ -	\$ 2,020	\$ 2,020	3/4/2025	\$ 505	\$ 1,515	Paid 1st Qtr
Harrah	\$ -	\$ 313	\$ 313	1/21/2025	\$ 313	\$ -	Paid in full
Mabton	\$ -	\$ 1,067	\$ 1,067	3/19/2025	\$ 267	\$ 800	Paid 1st Qtr
Moxee	\$ -	\$ 2,519	\$ 2,519	2/19/2025	\$ 630	\$ 1,889	Paid 1st Qtr
Naches	\$ -	\$ 608	\$ 608	3/3/2025	\$ 152	\$ 456	Paid 1st Qtr
Selah	\$ -	\$ 4,517	\$ 4,517	3/4/2025	\$ 1,129	\$ 3,388	Paid 1st Qtr
Sunnyside	\$ -	\$ 8,910	\$ 8,910	3/20/2025	\$ 2,228	\$ 6,683	Paid 1st Qtr
Tieton	\$ -	\$ 813	\$ 813	3/3/2025	\$ 203	\$ 610	Paid 1st Qtr
Toppenish	\$ -	\$ 4,790	\$ 4,790	3/3/2025	\$ 1,198	\$ 3,593	Paid 1st Qtr
Union Gap	\$ -	\$ 3,586	\$ 3,586	3/3/2025	\$ 897	\$ 2,690	Paid 1st Qtr
Wapato	\$ 2,215	\$ 2,492	\$ 2,492			\$ 2,492	
City of Yakima	\$ -	\$ 53,028	\$ 53,028	3/4/2025	\$ 13,257	\$ 39,771	Paid 1st Qtr
Zillah	\$ -	\$ 1,725	\$ 1,725	3/10/2025	\$ 431	\$ 1,294	Paid 1st Qtr
Yakima Co.	\$ -	\$ 48,036	\$ 48,036	3/11/2025	\$ 12,009	\$ 36,027	Paid 1st Qtr
Totals:	\$ 2,215	\$ 140,375	\$ 140,375		\$ 34,706	\$ 105,670	

05/07/2025

Accounts Payable

YRCAA Fund: 614-6140
Enterprise Fund: 614-1410

<u>Name</u>	<u>Warrant No.</u>	<u>GL No.</u>	<u>Amount</u>	<u>Date</u>
Abadan Reprographics	36222	3101	153.14	05/09/2025
Alliant Communications	36223	Various	433.35	05/09/2025
Amazon Capital Services	36224	3101	95.54	05/09/2025
Cascade Natural Gas	36225	4701	172.09	05/09/2025
Charter Communications	36226	4201	372.38	05/09/2025
Coleman Oil Company	36227	3201	336.52	05/09/2025
FP Mailing Solutions	36228	4202	194.24	05/09/2025
Intermountain Cleaning Service	36229	4802	425.00	05/09/2025
Iron Horse Real Estate	36230	4501	11,491.03	05/09/2025
Menke Jackson Law Firm	36231	4101	362.50	05/09/2025
Pacific Power	36232	4701	232.75	05/09/2025
Joe RosenKranz	36233	4105	2,300.00	05/09/2025
Sinclair Broadcast Group	36234	4139	750.00	05/09/2025
State Auditor's Office	36235	Various	5,536.18	05/09/2025
State of Washington Department	36236	2001	52.53	05/09/2025
StorageMax	36237	4506	225.00	05/09/2025
Valley Publishing Co	36238	4401	57.50	05/09/2025
Brian Wachter	36239	4105	700.00	05/09/2025
Westside Commons	36240	4506	393.00	05/09/2025
Yakima County Public Services- Utility	36241	4701	20.48	05/09/2025

Total

\$24,303.23

* Grant Reimbursement

** NOC/Enterprise

I hereby certify the invoices and warrants described above for the Yakima Regional Clean Air Agency have been examined, audited, and approved for payment.

Sherrie Springer
Primary Auditing Officer

(DATE)



**Payroll Reimbursement
April**

Gross Wages		\$	39,913.19
ER Taxes Paid		\$	572.35
ER Medical Paid		\$	6,783.35
Pers 1 ER Paid	-	\$	-
Pers 2 ER Paid		\$	3,158.04
Pers 3 ER Paid		\$	397.26
SUTA		\$	107.31
L & I		\$	1,299.52
Benefits		\$	-
Bank Charges			
Other	-		
Miscellaneous		\$	-
Total Payroll		\$	52,231.02

Sherrie Springer (DATE)
Primary Auditing Officer

Marc Thornsbury (DATE)
Secondary Auditing Officer

Jon DeVaney (DATE)
Board Chairperson

STAFF REPORT

Date: June 5, 2025
To: YRCAA Board of Directors
From: Marc Thornsbury, Executive Director
Subject: FY 2025-26 Final Budget

Summary

The draft FY 2025-26 Budget included funds to allow for a maximum three percent (3%) cost-of-living adjustment (COLA) consistent with the inflation rate since September 2022 (when the most recent compensation survey was completed) less the COLA adopted in 2024. Inclusion of the COLA was in response to concerns previously raised by the Board regarding wages and fees having languished without adjustment—requiring substantial fee increases in 2023 and 2024.

At the budget hearing held May 8, 2025, the Board requested the COLA and any related costs or fees be removed from the final budget. The result is a reduction in revenues and expenses of \$13,321 (0.85%) and \$20,890 (1.24%), respectively, for a \$7,569 reduction in the net loss.

Recommendation

None.

Background

The draft FY 2025-26 Budget included funds to allow for a maximum three percent (3%) cost-of-living adjustment (COLA). This was based on a projected rate of inflation at or below that amount. From September 2022 (when the most recent compensation survey was completed) through April 2025 (the most recent month for which consumer price index data is available), the rate of inflation was seven and forty-eight hundredths percent (7.48%). Taking into account the four and one-half percent (4.5%) COLA adopted in 2024, this leaves a difference of two and ninety-eight hundredths percent (2.98%).

Inclusion of the COLA was in response to concerns previously raised by the Board regarding wages and fees that had languished without adjustment—requiring it to adopt an approximately thirty-two percent (32%) increase in registration fees for 2023 (and a subsequent increase in 2024) to rectify the situation. At the board meeting held in December 2022, Commissioner McKinney “expressed support for adopting the median wage as determined by the compensation survey and noted there is a requirement the Agency provide certain services and doing so requires qualified staff and the ability to recruit and retain them. She explained the Agency would lose out if it cannot at least meet the median wage” [as recorded in the minutes].

The market wages comprising the 2022 survey have not remained static in the years since and neither have the median wages that were based on them. The article “Will Salary Increases Outpace Inflation in 2025?” (Forbes, January 31, 2025, www.forbes.com/sites/johnbremen/2025/01/31/will-salary-increases-outpace-inflation-in-2025/) reports “2025 planned increases [are] projected to be on average

3.7%, compared with 3.8% in 2024”, adding “salary increases remain at a relatively high rate by historic standards...” and noting “...salary increases budgets likely will outpace inflation in 2025” (based on survey results from Willis Towers Watson—a multinational company with employee benefits and compensation management serving as its primary business).

At the budget hearing held May 8, 2025, the Board requested the COLA and any related costs or fees be removed in their entirety. The final budget presented removes the COLA costs across all programs and all proposed fee and supplemental income adjustments supporting them. The result is a reduction in revenues and expenses of \$13,321 (\$1,565,229 – \$1,551,908) and \$20,890 (\$1,682,350 - \$1,661,460), respectively, for a \$7,569 [(117,121) – (102,552)] improvement in the anticipated net loss.

Analysis

To preserve the difficult gains achieved in past years, the Board should avoid acting (or failing to act) in the same manner that led to the conditions that threatened the Agency in 2022. The financial stability of the Agency is not a permanent state of affairs invulnerable to neglect. As previously noted, if the Board is unable to allocate the modest resources necessary to maintain the Agency, it should eliminate the executive director position—or simply allow it to remain vacant—and utilize the funds thus made available to maintain adequate wages.

The Agency provides a service, not a product. As a result, it is primarily dependent upon people, not equipment or facilities. Without qualified, competent, and capable individuals the Agency cannot be effective or efficient and will ultimately return to its former condition.



Yakima Regional Clean Air Agency

Fiscal Year 2025-26 Budget

Final

June 12, 2025

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YRCAA Proposed FY 2025-26 Budget

The Yakima Regional Clean Air Agency (YRCAA) is required to have an annual budget that “contain[s] adequate funding and provide[s] for staff sufficient to carry out the provisions of all applicable ordinances, resolutions, and local regulations related to the reduction, prevention, and control of air pollution” pursuant to RCW 70A.15.1590. The following budget meets these requirements, aligns all expenditures with their appropriate revenue sources, and contains an itemized accounting of both with respect to the Agency’s base, grant, and enterprise operations.

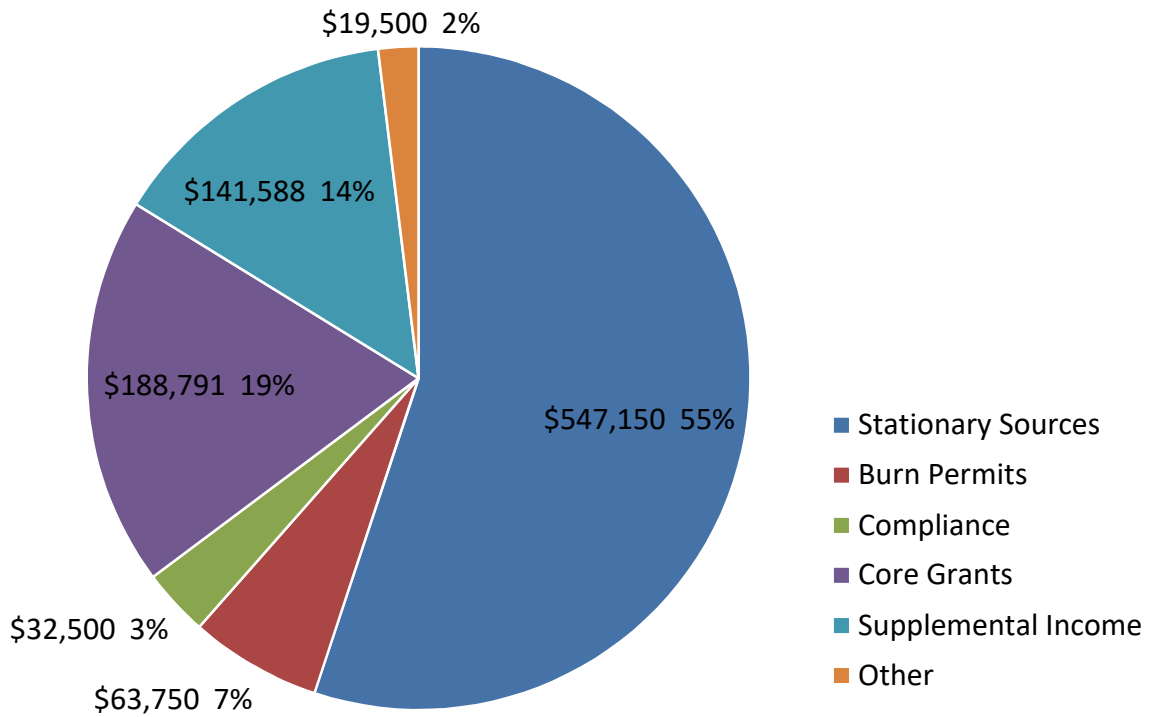
YRCAA Comparative Budget		Actual FY 2023-24	Projected Actual FY 2024-25	Proposed Budget FY 2025-26
REVENUE – Base Operations				
Stationary Sources				
32199001	Minor Sources	\$ 332,944	\$ 439,878	\$ 362,958
32199002	New Source Review	87,694	17,061	52,000
32199005	Synthetic Minor Sources	40,139	37,192	37,192
32290001	Major / Title V Sources	98,460	42,141	95,000
	Subtotal – Stationary Sources	\$ 559,237	\$ 536,272	\$ 547,150
Burn Permits				
32290005	Residential Burn Permits	\$ 49,401	\$ 49,335	\$ 46,750
32290007	Agricultural Burn Permits	15,655	16,694	15,500
32290011	Conditional Use Burn Permits	1,452	1,936	1,500
	Subtotal – Burn Permits	\$ 66,508	\$ 67,965	\$ 63,750
Compliance				
32199003	Asbestos Removal Fees	\$ 27,269	\$ 18,902	\$ 26,000
32199007	Construction Dust Control Fees	8,318	5,850	6,500
	Subtotal – Compliance	\$ 35,587	\$ 24,752	\$ 32,500
Core Grants (CAA Section 105)				
33366001	EPA Core	\$ 149,350	\$ 114,038	\$ 113,275
33403101	Ecology Local Partner Core	38,167	76,026	75,516
	Subtotal – Base Grants	\$ 187,518	\$ 190,064	\$ 188,791
Fines and Penalties				
35990001	Fines and Penalties	\$ 35,519	\$ 8,204	\$ 0
	Subtotal – Fines and Penalties	\$ 35,519	\$ 8,204	\$ 0
Supplemental Income				
36850003	Supplemental Income	\$ 93,272	\$ 136,333	\$ 141,588
	Subtotal – Supplemental Income	\$ 93,272	\$ 136,333	\$ 141,588
Other Income				
36111001	Interest	\$ 9,710	\$ 23,126	\$ 19,500
36991011	Miscellaneous	2,140	0	0
	Subtotal – Other Income	\$ 11,851	\$ 23,126	\$ 19,500
	Subtotal – Base Operations	\$ 989,491	\$ 986,716	\$ 994,595
REVENUE – Grant Operations				
Wood Smoke Education				
33403105	Wood Smoke Education	\$ 9,232	\$ 3,526	\$ 5,129
	Subtotal – Wood Smoke Education	\$ 9,232	\$ 3,526	\$ 5,129
Wood Smoke Reduction				
33403107	Wood Smoke Reduction	\$ 855,145	\$ 394,855	\$ 437,500
	Subtotal – Wood Smoke Reduction	\$ 855,145	\$ 394,855	\$ 437,500

YRCAA Comparative Budget		Actual FY 2023-24	Projected Actual FY 2024-25	Proposed Budget FY 2025-26
Particulate Matter (CAA Section 103)				
33403108	Ecology Local Partner PM 2.5	\$ 14,321	\$ 26,313	\$ 36,000
	<i>Subtotal – Particulate Matter</i>	<u>\$ 14,321</u>	<u>\$ 26,313</u>	<u>\$ 36,000</u>
	<i>Subtotal – Grant Operations</i>	<u>\$ 878,699</u>	<u>\$ 424,694</u>	<u>\$ 478,629</u>
REVENUE – Enterprise Operations				
Visible Emission Certification				
34517001	Visible Emission Certification	\$ 61,710	\$ 83,295	\$ 80,000
	<i>Subtotal – Visible Emission Certification</i>	<u>\$ 61,710</u>	<u>\$ 83,295</u>	<u>\$ 80,000</u>
	<i>Subtotal – Enterprise Operations</i>	<u>\$ 61,710</u>	<u>\$ 83,295</u>	<u>\$ 80,000</u>
Total Revenue		\$ 1,929,900	\$ 1,494,705	\$ 1,551,908
EXPENSES – Base Operations				
Wages and Benefits				
553701001	Wages and Salaries	\$ 402,850	\$ 461,786	\$ 644,262
553702001	Benefits	116,449	161,079	272,425
553703001	Overtime	0	0	2,000
	<i>Subtotal – Wages and Benefits</i>	<u>\$ 519,299</u>	<u>\$ 622,865</u>	<u>\$ 918,687</u>
Supplies				
533703101	Office Supplies	\$ 5,810	\$ 2,463	\$ 4,000
533703102	Safety Equipment	0	0	1,000
533703201	Vehicles	4,315	3,900	4,200
533703501	Small Tools and Equipment	0	0	2,700
533703502	Technology Systems	3,933	2,664	5,000
533703503	Office Furnishings	2,542	0	750
	<i>Subtotal – Supplies</i>	<u>\$ 16,600</u>	<u>\$ 9,027</u>	<u>\$ 17,650</u>
Services				
553704101	Professional Services	\$ 34,746	\$ 74,277	\$ 45,000
553704102	Laboratory Analyses	196	62	500
553704192	Yakima County Services	0	0	0
553704201	Communications and Technology	9,635	12,487	12,700
553704202	Postage and Freight	447	1,417	1,800
553704301	Travel and Related	435	0	5,000
553704401	Public Notices and Education	1,672	536	3,500
553704501	Rents and Leases	61,328	60,182	64,000
553704601	Insurance	16,184	18,472	18,500
553704701	Utilities	4,919	4,878	5,600
553704801	Maintenance – Vehicles/Equipment	2,239	2,127	2,700
553704802	Maintenance – Building	3,259	4,250	4,500
553704901	Miscellaneous	11,359	2,169	12,000
553704902	Ecology Oversight and Admin. Fee	3,148	0	3,500
	<i>Subtotal – Services</i>	<u>\$ 149,567</u>	<u>\$ 180,858</u>	<u>\$ 179,300</u>
Capital Projects/Fixed Assets				
594536401	Capital Projects/Fixed Assets	\$ 0	\$ 0	\$ 0
	<i>Subtotal – Base Operations</i>	<u>\$ 685,466</u>	<u>\$ 812,751</u>	<u>\$ 1,115,637</u>
EXPENSES – Grant Operations				
Wood Smoke Education				
Wages and Benefits				
553701002	Wages and Salaries	\$ 8,723	\$ 3,028	\$ 2,931
553702002	Benefits	3,461	1,293	1,276
553703002	Overtime	0	0	0
	<i>Subtotal – Wages and Benefits</i>	<u>\$ 12,184</u>	<u>\$ 4,321</u>	<u>\$ 4,207</u>

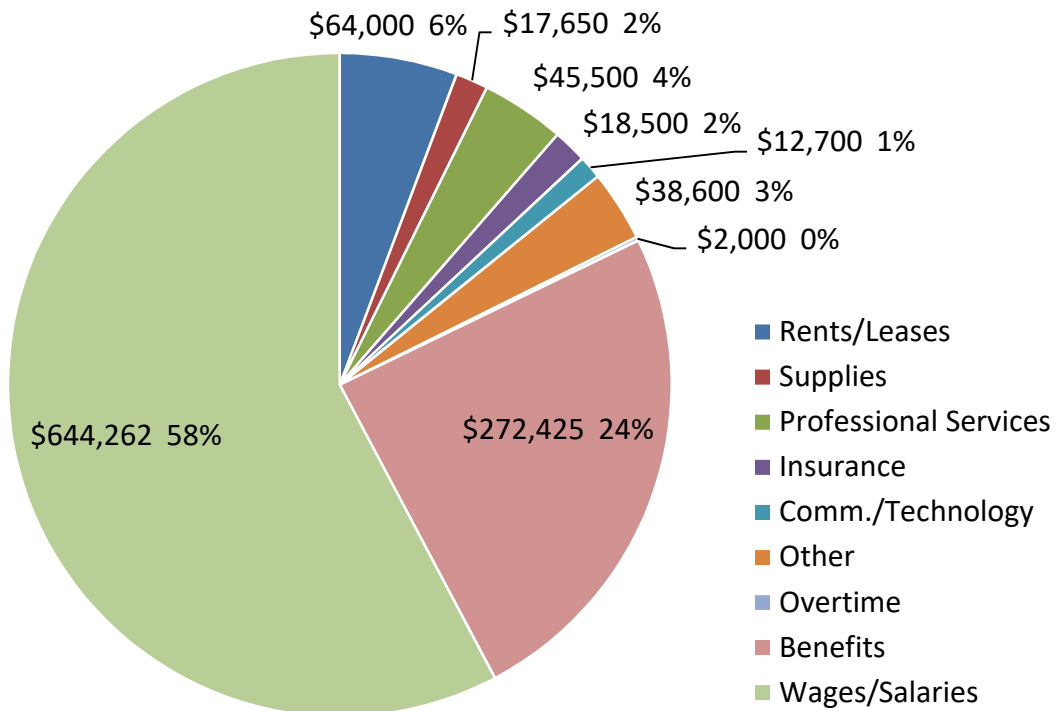
YRCAA Comparative Budget		Actual FY 2023-24	Projected Actual FY 2024-25	Proposed Budget FY 2025-26
Supplies				
553703103	Office Supplies	\$ 0	\$ 0	\$ 0
	<i>Subtotal – Supplies</i>	\$ 0	\$ 0	\$ 0
Services				
553704139	Professional Services	\$ 1,500	\$ 750	\$ 750
553704203	Postage	0	0	0
	<i>Subtotal – Services</i>	\$ 1,500	\$ 750	\$ 750
	<i>Subtotal – Wood Smoke Education</i>	\$ 13,684	\$ 5,071	\$ 4,957
Particulate Matter				
Wages and Benefits				
553701003	Wages and Salaries	\$ 57,536	\$ 8,983	\$ 24,248
553702003	Benefits	15,796	1,925	10,796
553703003	Overtime	0	0	0
	<i>Subtotal – Wages and Benefits</i>	\$ 73,332	\$ 10,907	\$ 35,044
Supplies				
553703104	Office Supplies	\$ 0	\$ 0	\$ 0
	<i>Subtotal – Supplies</i>	\$ 0	\$ 0	\$ 0
Services				
553704104	Professional Services	\$ 0	\$ 0	\$ 0
	<i>Subtotal – Services</i>	\$ 0	\$ 0	\$ 0
	<i>Subtotal – PM 2.5</i>	\$ 73,332	\$ 10,907	\$ 35,044
Wood Smoke Reduction				
Wages and Benefits				
553701004	Wages and Salaries	\$ 61,439	\$ 62,851	\$ 62,851
553702004	Benefits	20,064	24,649	24,649
553703004	Overtime	0	0	0
	<i>Subtotal – Wages and Benefits</i>	\$ 81,503	\$ 87,500	\$ 87,500
Supplies				
553703105	Office Supplies	\$ 0	\$ 0	\$ 0
	<i>Subtotal – Supplies</i>	\$ 0	\$ 0	\$ 0
Services				
553704105	Professional Services	\$ 806,151	\$ 350,000	\$ 350,000
	<i>Subtotal – Services</i>	\$ 806,151	\$ 350,000	\$ 350,000
	<i>Subtotal – Wood Smoke Reduction</i>	\$ 887,654	\$ 437,500	\$ 437,500
	<i>Subtotal – Grant Operations</i>	\$ 974,671	\$ 453,479	\$ 477,501
EXPENSES – Enterprise Operations				
Visible Emission Certification				
Wages and Benefits				
553701005	Wages and Salaries	\$ 38,869	\$ 52,100	\$ 37,854
553702005	Benefits	10,173	8,290	15,443
553703005	Overtime	0	0	0
	<i>Subtotal – Wages and Benefits</i>	\$ 49,042	\$ 60,390	\$ 53,297
Supplies				
553703106	Office Supplies	\$ 695	\$ 850	\$ 925
553703206	Vehicles	1,401	937	1,400
553703506	Small Tools and Equipment	73	0	100
	<i>Subtotal – Supplies</i>	\$ 2,168	\$ 1,787	\$ 2,425

YRCAA Comparative Budget	Actual FY 2023-24	Projected Actual FY 2024-25	Proposed Budget FY 2025-26
Services			
553704106 Professional Services	\$ 1,791	\$ 296	\$ 1,900
553704206 Postage	0	0	0
553704306 Travel and Transportation	8,654	4,500	6,000
553704506 Rents and Leases	3,051	2,501	3,500
553704806 Maintenance – Vehicles/Equipment	170	170	800
553704906 Miscellaneous	352	0	400
Subtotal – Services	\$ 14,018	\$ 7,467	\$ 12,600
Capital Projects/Fixed Assets			
553706406 Capital Projects/Fixed Assets	\$ 0	\$ 0	\$ 0
Subtotal – Capital Projects/Fixed Assets	\$ 0	\$ 0	\$ 0
Subtotal – Enterprise Operations	\$ 65,227	\$ 69,644	\$ 68,322
Total Expenses	\$ 1,725,364	\$ 1,335,873	\$ 1,661,460
Summary			
Total Revenue	\$ 1,929,900	\$ 1,494,705	\$ 1,551,908
Total Expenses	1,725,364	1,335,873	1,661,460
Contribution to Reserves	\$ 204,536	\$ 158,832	\$ (109,552)
Beginning Reserve Balance	\$ 1,404,530	\$ 1,609,066	\$ 1,767,898
Contribution to Reserves	204,536	158,832	(109,552)
Ending Reserve Balance	\$ 1,609,066	\$ 1,767,898	\$ 1,658,345
Reserve Fund Allocation			
Operating Reserve (min. 25% of base operating exp.)	\$ 300,000	\$ 300,000	\$ 300,000
Legal Reserve (min. \$200,000)	275,000	275,000	275,000
Capital Reserve (min. 10% of asset replacement cost)	30,000	30,000	30,000
Vehicle Replacement	140,000	140,000	160,000
Major Vehicle Repairs	10,000	10,000	10,000
Equipment Acquisition	35,000	35,000	45,000
Building Acquisition	550,000	550,000	570,000
Employee Cash-out Liability	15,000	15,000	15,000
Unallocated	254,066	412,074	253,345
Total	\$ 1,609,066	\$ 1,767,898	\$ 1,658,345

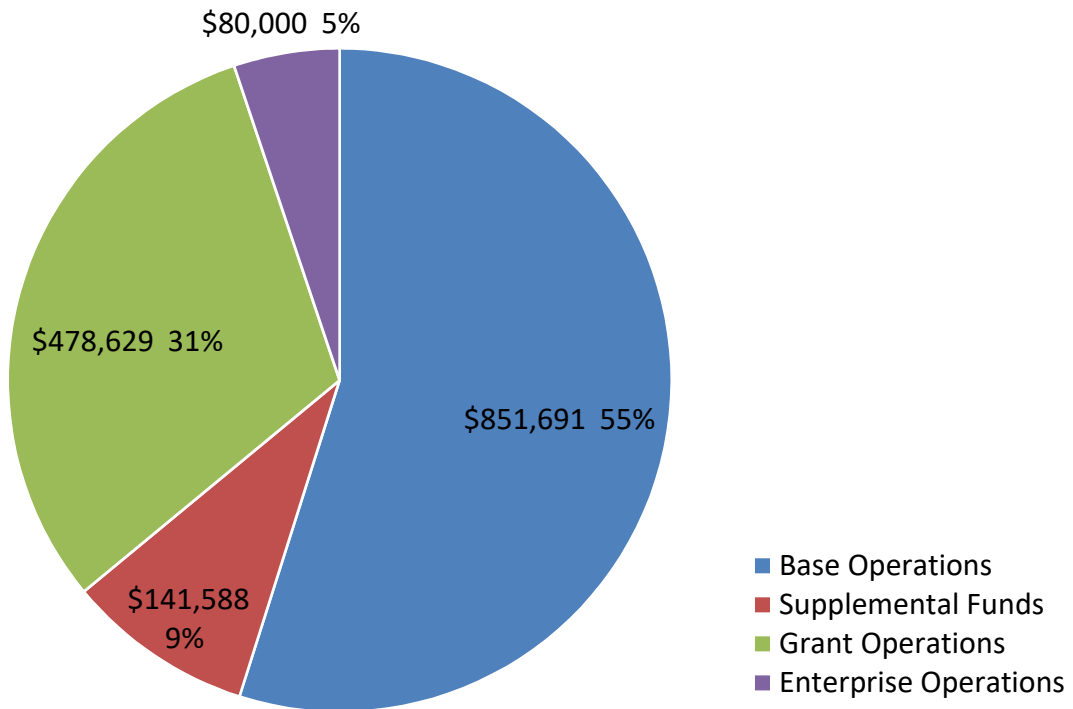
Revenue - Base Operations



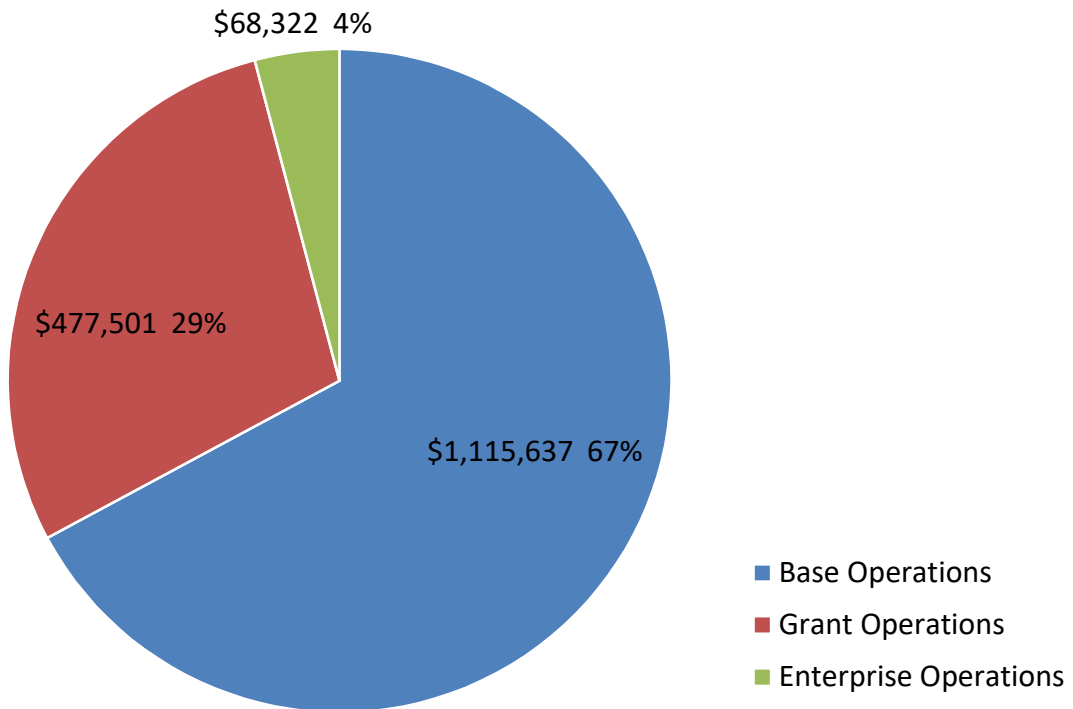
Expenses - Base Operations



Revenue - Total



Expenses - Total



Budget Notes

The following notes describe the accounts used by the Agency, the revenues and expenses they represent, and any significant factors affecting, or expected to affect, them during the budget year. Significant changes to the operation of the federal government and the substantial shortfall in State revenues—including the resulting potential for reductions in funding—were considered in preparing this budget. Staff elected to take a cautious approach—accounting for potential revenue reductions so the Board can understand the potential impact—without recommending drastic cuts that may prove unnecessary. In the event circumstances negatively affect the financial state of the Agency, vacant positions may be left vacant until financial conditions improve.

The reader should understand the Projected Actual FY 2024-25 figures provided are comprised of actual amounts for the first nine months of the fiscal year (July 1 through March 31) plus a projected amount for the remaining three months (April 1 through June 30). The projected amount may be based on an actual amount if the future revenue/expense is known and not subject to change, a percentage of the prior nine months revenue/expense equal to that of the previous fiscal year if the revenue/expense is seasonal, an estimate if the future revenue/expense is largely known but subject to change, another reasonable basis upon which to anticipate the final revenue/expense for special circumstances, or simply one third of the prior nine months revenue/expense if no other basis for calculation exists.

Revenue – Base Operations

Stationary Sources

Because minor and synthetic minor source fees are billed on a calendar year basis and due in the first half of the calendar year, this revenue will be realized in the second half of fiscal year (FY) 2025-26. Annual fee adjustments prevent future large increases (such as those in FY 2022-23 and FY 2023-24) made necessary by multiple years in which no change was made. No increase in registration fees was adopted for CY 2025. The modest increase in revenue budgeted for FY 2025-26 is based on a *minimum* three percent (3%) adjustment to take effect CY 2026 (the last half of FY 2025-26).

32199001 — Minor Sources

Revenue from sources not otherwise classified as Synthetic Minor and collected pursuant to Revised Code of Washington (RCW) 70A.15.2200, Washington Administrative Code (WAC) 173-400-099, and Yakima Regional Clean Air Agency (YRCAA) Regulation 1 Section 4.01. The amount shown reflects a modest increase as described. Additional monies received as the result of work to secure payments of amounts owed and not received and the identification of facilities that should have been, but were not, registered with the Agency accounts for the greater-than-normal projected actual revenue shown.

32199002 — New Source Reviews

Revenue from stationary sources subject to a New Source Review (NSR) pursuant to Chapter 173-400 WAC, Chapter 173-460 WAC, 40 Code of Federal Regulations (CFR) Part 60, and 40 CFR Part 61. The cost of a New Source Review is billed to the applicant when an Order of Approval or Denial is issued or when the proposed project is abandoned. Several projects for which a Notice of Construction has been received have been placed on hold by the applicant or the Agency is currently awaiting further information. As a result, though costs have been incurred, receipt of the commensurate revenue is delayed and not expected until FY 2025-26, reducing the projected actual amount shown. Because projects that involve substantial delay are at greater risk of abandonment, this anticipated revenue is not included in the proposed revenue for FY 2025-26. However, at the end of FY 2025-26 at least some

portion of this anticipated revenue is expected to be realized including costs already incurred for projects subsequently abandoned.

32199005 — Synthetic Minor Sources

Revenue from sources that have chosen to avoid classification as a major (aka Title V) source by accepting restrictive operating and permit conditions that limit emissions.

32290001 — Title V Sources

Revenue from major sources that directly emit, or have the potential to emit, 100 tons per year (TPY) or more of any air pollutant as defined in 40 CFR Part 70. The Agency currently has three (3) major sources and does not anticipate any change in FY 2025-26.

Burn Permits

32290005 — Residential Burn Permits

Revenue from residential burn permits pursuant to RCW 70A.15.5070, Chapter 173-425 WAC, and YRCAA Regulation 1 Section 3.03.

32290007 — Agricultural Burn Permits

Revenue from agricultural burn permits pursuant to RCW 70A.15.5090, Chapter 173-430 WAC, and YRCAA Regulation 1 Section 3.03. Rates are established by the Agricultural Burning Practices and Research Task Force pursuant to RCW 70A.15.5090(6) and have not been adjusted for several years. Agricultural burn permit revenue has declined over several years from a high of approx. \$47,000 in FY 2019-20. Following this trend, the figure shown includes a small reduction in revenue. It should be noted the prevalence of agricultural burning from year to year is significantly influenced by the availability and financial feasibility of burning alternatives and market demand for chipped vegetative material.

32290011 — Conditional Use Burn Permits

Revenue from conditional use burn permits issued for burning that is not residential or agricultural in nature (e.g. firefighter training and land clearing).

Compliance

32199003 — Asbestos Removal

Revenue from fees required pursuant to the National Emission Standards for Hazardous Air Pollutants (NESHAP) and YRCAA Regulation 1, Section 3.07 used to process notifications and conduct inspections of demolition and renovation activity with the potential to release asbestos fibers.

32199007 — Construction Dust Control Plans

Revenue from dust control plans (including master and site plans) pursuant to WAC 173-400-040 and YRCAA Regulation 1 Section 3.08.

Core Grants

33366001 — EPA Core

Funds awarded through the federal Performance Partnership Grant (PPG) program pursuant to federal Clean Air Act Section 105. These funds support the Agency's core air quality programs and are distributed through the Wash. Dept. of Ecology on behalf of the U.S. Environmental Protection Agency. This grant is biennial and the figure shown is one-half the amount awarded for the two-year period.

33403101 — Ecology Local Partner Core

Funds awarded through the federal Performance Partnership Grant (PPG) program pursuant to federal Clean Air Act Section 105. These funds are a portion of the monies granted to the State of Washington by the U.S. Environmental Protection Agency.

Fines and Penalties

35990001 — Civil Penalties

Civil penalties assessed for violations of air pollution regulations with amounts determined on a case-by-case basis depending upon various factors including the type and severity of the violation, culpability of the source, and the potential impact on human health. Although most years see receipts for penalties, the Agency objective is for full compliance resulting in zero civil penalties. As a result, no amount is budgeted for this item. When received, penalties are used to provide additional financial support for compliance, education, outreach, and other one-time expenses.

Supplemental Income

36850003 — Supplemental Income

Assessments paid to YRCAA by cities, towns, and Yakima County pursuant to RCW 70A.15.1590 and RCW 70A.15.1600. The proportionate share of supplemental income for each entity is shown below. The budget anticipates no increase from the current \$0.54 per capita.

YRCAA CY 2025 Supplemental Income Assessments

City / Town	2023 Pop. Estimate	3rd-4th Qtr. 2025 Assessment	2024 Pop. Estimate	1st-2nd Qtr. 2026 Assessment	% of Total
Grandview	11,250	\$ 3,037.50	11,680	\$3,153.60	4.37%
Granger	3,775	1,019.25	3,815	1,030.05	1.45%
Harrah	580	156.60	585	157.95	0.22%
Mabton	1,965	530.55	1,965	530.55	0.75%
Moxee	4,785	1,291.95	4,820	1,301.40	1.83%
Naches	1,120	302.40	1,125	303.75	0.43%
Selah	8,450	2,281.50	8,620	2,327.40	3.26%
Sunnyside	16,530	4,463.10	16,570	4,473.90	6.31%
Tieton	1,545	417.15	1,600	432.00	0.60%
Toppenish	8,900	2,403.00	8,915	2,407.05	3.40%
Union Gap	6,660	1,798.20	6,660	1,798.20	2.54%
Wapato	4,620	1,247.40	4,625	1,248.75	1.76%
Yakima (city)	98,650	26,635.50	99,370	26,829.90	37.76%
Zillah	3,215	868.05	3,215	868.05	1.23%
Unincorporated Yakima County	89,155	24,071.85	89,635	24,201.45	34.09%
Total	261,200	\$ 70,524.00	263,200	\$ 71,064.00	100%

Based on a \$0.54 per capita rate.

Other Income

36111001 — Interest

Interest income earned on funds (primarily reserve funds) held by the Agency. The amount shown reflects high interest rates that are expected to remain relatively stable through the fiscal year in tandem with more active investment management of the Agency’s reserve funds.

36991011 — Miscellaneous

Revenue not otherwise allocated such as tax-deductible donations or fees related to public records requests.

Revenue – Grant Operations

33403105 — Wood Smoke Education

Grant funds provided by the Wash. Dept. of Ecology supporting the Agency’s wood smoke education program including advertising and public service announcements concerning the dangers of smoke, fine particulate matter, and alternatives to burning. It is assumed the amount awarded will remain the same in the new FY 2025-27 biennium. However, a shortfall in state revenues may result in cuts to funding for this program.

33403107 — Wood Smoke Reduction

Grant funds provided by the Wash. Dept. of Ecology to support the Agency’s Wood Stove Replacement program. The program provides rebates for, or fully funds for low-income persons, replacement of older, polluting wood-burning stoves with new EPA-certified wood stoves or other heating devices. In the FY 2023-25 biennium the Agency was awarded \$1.25 million—a substantially larger amount than in prior biennia. Given the shortfall in state revenues (recently estimated at \$16 billion over four years), it is expected the funds available for award in the FY 2025-27 biennium will be reduced and an estimated thirty percent (30%) cut has been included in this budget.

33403108 — Ecology Local Partner PM 2.5

Funds awarded through the Wash. Dept. of Ecology pursuant to federal Clean Air Act Section 103 and used to operate and maintain two air quality monitor systems (located in the cities of Yakima and Sunnyside) that measure fine particulate matter equal to or smaller than 2.5 microns (PM_{2.5}). A one-time increase in the amount of this grant for the 2024-28 fiscal quadrennium resulted in a higher reported revenue in each of the four years. However, this is currently set to expire in 2028 and it is expected revenue in FY2028-29 will return to the level in FY 2023-24. As it is in the middle of its quadrennial cycle, it is assumed the amount will not be altered. However, significant changes occurring in the federal government could result in these funds being reduced or eliminated without warning.

Revenue – Enterprise Operations

34517001 — Visible Emissions Certification

Revenue from training and registration fees paid by persons participating in the Agency’s Northwest Opacity Certification (NOC) program. The NOC program provides training, testing, and certification for participants who must be certified to conduct Visible Emission Evaluations in accordance with Method 9 and Method 22 as described in 40 CFR 60. Certification must be renewed every six months.

34517002 — Other Revenue

Revenue from any other enterprise operation.

Expenses – Base Operations

Wages and Benefits

553701001 — Wages and Salaries

Expenses for wages and salaries paid to full-time and part-time employees of the Agency. The amount shown assumes all ten (10) positions within the Agency are filled with employees fully qualified for the position held and, therefore, making the target wage for that position. In practice, employees change so that, in any given year, one or more positions may be vacant for a period of time. Furthermore, new

employees may not be fully qualified at the time of hire—reaching that point only after completing training and gaining experience.

When, and to the extent, one or both of these conditions exist, the actual wages and benefits expense in any given fiscal year will be lower than the budgeted amount. The presence of several vacant positions in FY 2023-24 and FY 2024-25 accounts for the lower actual and projected costs shown. However, as positions are filled, qualifications improved, and/or experience gained, the total expense for wages and benefits will grow until it reaches the budgeted amount. If the budget were based only on the actual wages and benefits expenses at the beginning of the fiscal year and projected forward, there would be insufficient funds available if, during the budget period, more qualified and/or experienced replacement personnel were hired or wages must be adjusted for completed training and gained experience.

At the request of the Board, an annual cost-of-living-adjustment (COLA) is not included. The purpose of a COLA is to help ensure wages remain competitive with the general labor market during the period between compensation analyses and to help prevent wages from falling behind over time, resulting in the need for substantial future increases (as was necessary in FY 2022-23 and FY 2023-24).

The median wages determined by the September 2022 analysis serve as the basis for the proposed wages and benefits. At the time the analysis was completed, the Consumer Price Index—All Urban Consumers (CPI-U) as calculated by the U.S. Bureau of Labor Statistics was 296.808. During the intervening months through February 2025 (the most recent month for which stable data is available) the CPI-U grew to 319.082—an increase of seven and one-half percent (7.5%). A four and one-half percent (4.5%) COLA was adopted for FY 2024-25, leaving a three percent (3%) difference.

The implementation of a federal minimum ten percent (10%) tariff on all goods from countries other than Mexico and Canada that occurred April 2 may substantially increase inflation during the coming fiscal year. For example, an article by Barbiero and Stein appearing on the Federal Reserve Bank of Boston web site (<http://www.bostonfed.org/publications/current-policy-perspectives/2025/the-impact-of-tariffs-on-inflation.aspx>) suggests the initial impact of these tariffs could be an added inflationary increase of two and two-tenths percent (2.2%). This, combined with the absence of a COLA for FY 2025-26, indicates a more substantial COLA for FY 2026-27 will be required to avoid losses due to recruitment by others.

533702001 — Benefits

Expenses for employment benefits including employer contributions for medical and dental insurance, unemployment insurance, Medicare, Social Security or similar program, industrial insurance (aka Workers’ Compensation), and Public Employees Retirement System (PERS). While the highest cost health insurance plan premiums declined in CY 2025, the average cost of all plans rose five percent (5%) over CY 2024. The amounts appearing in the budget include an estimated five percent (5%) increase in health insurance premiums expected to be effective January 1, 2026 (for the last half of FY 2025-26). The figures below show the actual CY 2024 and CY 2025 premiums (not taking into account the projected CY 2026 rates):

Plan / Monthly Premium	Employee Only		Employee +Spouse		Employee +Children		Full Family	
	2024	2025	2024	2025	2024	2025	2024	2025
Kaiser Permanente WA Classic	\$1,096.70	\$1,058.89	\$2,036.30	\$1,946.17	\$1,801.40	\$1,724.35	\$2,741.00	\$2,611.64
Kaiser Permanente WA Value	1,082.51	1,049.17	2,007.91	1,926.73	1,776.56	1,707.34	2,701.97	2,584.91
Kaiser Permanente WA CDHP	902.12	960.86	1,645.77	1,748.76	1,474.44	1,566.37	2,159.77	2,295.94
Uniform Medical Plan Classic	994.82	1,064.01	1,832.54	1,956.42	1,623.11	1,733.32	2,460.83	2,625.73
Uniform Medical Plan Select	929.75	1,013.41	1,702.41	1,855.22	1,509.24	1,644.77	2,281.90	2,486.58
Uniform Medical Plan Plus	979.64	1,088.86	1,802.18	2,006.12	1,596.55	1,776.81	2,419.09	2,694.07
Uniform Medical Plan CDHP	910.93	981.90	1,663.40	1,790.86	1,489.87	1,603.21	2,184.01	2,353.83
<i>Maximum</i>	<i>\$1,096.70</i>	<i>\$1,088.86</i>	<i>\$2,036.30</i>	<i>\$2,006.12</i>	<i>\$1,801.40</i>	<i>\$1,776.81</i>	<i>\$2,741.00</i>	<i>\$2,694.07</i>
<i>Average</i>	<i>\$985.21</i>	<i>\$1,031.01</i>	<i>\$1,812.93</i>	<i>\$1,890.04</i>	<i>\$1,610.17</i>	<i>\$1,679.45</i>	<i>\$2,421.22</i>	<i>\$2,521.81</i>

The amount paid by the Agency is shown below:

CY 2025 Actual Rates	Enrolled Employees	Maximum Premium	Agency Percentage	Agency Contribution
Employee (only)	8	\$1,088.86	95%	\$1,034.42
Employee and spouse	1	\$2,006.12	65%	\$1,303.98
Employee and child(ren)	1	\$1,776.81	70%	\$1,243.77
Employee full family	0	\$2,694.07	55%	\$1,481.74
<i>Agency Monthly Cost (at CY 2025 rates)</i>				<i>\$10,823.11</i>
<i>Agency Annual Cost (at CY 2025 rates)</i>				<i>\$129,877.32</i>

533703001 — Overtime

Expenses for overtime (or time worked in excess of 40 hours in a work week). The Agency typically limits overtime to urgent and special situations. The amount shown reflects potential overtime costs resulting from unexpected events (e.g. compliance, enforcement, and complaint response) occurring during non-working hours.

Supplies

533703101 — Office Supplies

Expenses for consumables and other supplies valued at less than \$5,000 and not otherwise allocated to the capital asset account including toilet paper, light bulbs, toner, writing instruments, paper, etc. The amount shown supports continuing work on paper file organization (e.g. hanging files, file folders, labels, etc.).

533703102 — Safety Equipment

Expenses for safety equipment such as boots, eye protection, safety vests, etc. used for compliance inspections and other field work.

533703201 — Vehicles

Expenses for consumables related to vehicle operation such as gasoline, wiper blades, wiper fluid, etc.

533703501 — Small Tools and Equipment

Expenses for small tools and equipment not otherwise allocated to another account. The amount shown reflects costs for the potential acquisition of equipment that may be needed to support the Agency’s compliance, inspection, and enforcement efforts.

533703502 — Technology Systems

Expenses for computer software (such as applications, upgrades, user licenses, etc.), computer hardware (such as computers, monitors, keyboards, network, devices, printers, etc.), printers, scanners, phone system equipment (such as desksets, software, blades, etc.), and other similar equipment. The amount shown reflects the need to replace several workstations—some of which have been in service for over a decade.

533703503 — Office Furnishings

Expenses for office and conference room furnishings (such as task chairs, desks, file cabinets, chair mats, guest seating, tables, white boards, projection screens, etc.). It is expected additional funding will be required in future years to acquire needed furnishings—particularly with respect to planned improvements to paper file management and needed repair/replacement of some conference room chairs.

Services

553704101 — Professional Services

Expenses for all professional services including legal services, technical support, janitorial services, engineering review, and other similar services. A majority of the expenses incurred in the prior year were related to legal costs associated with one appeal involving all local clean air agencies in Washington and one appeal to the Pollution Control Hearings Board. The latter remains active to date and the cost of recent work pertaining to it is not yet known. As a result, it is expected the actual cost for FY 2024-25 will be greater than the projected amount shown.

553704102 — Laboratory Analyses

Expenses for laboratory analyses of various samples as needed. Costs have typically involved analysis of potential asbestos containing materials (PACM).

553704192 — Yakima County Services

Expenses for any service provided to the Agency by Yakima County, typically through an intergovernmental agreement. No need for such services is anticipated at this time.

553704201 — Communications and Technology

Expenses (typically recurring) for communications services including telephone service, Internet service, web site hosting, e-mail hosting, anti-virus, consulting, and other similar services.

553704202 — Postage and Freight

Expenses for stamps, postage, express mail, freight carrier (UPS, FedEx) services, etc.

553704301 — Travel and Related

Expenses for transportation including travel costs (e.g. meals and lodging), private vehicle use reimbursement, and other travel costs except where they are more appropriately included as part of another charge allocated elsewhere.

553704401 — Public Notices and Education

Expenses for required publication of notices, announcements, or reports (including public notices concerning board and administrative meetings as well as public hearings) and public education (such flyers, guides, and various advertisements).

553704501 — Rents and Leases

Expenses related to the rent or lease of (primarily office) equipment not otherwise allocated to another account (e.g. copiers, binding machines, postage machines, etc.) and office space including fire insurance, property taxes, and common area and certain landscape maintenance costs.

553704601 — Insurance

Expenses for public liability, property and casualty, errors and omissions, and money insurance policies. Coverage protects and Agency from loss due to accident, fire, theft, burglary, vandalism, auto accident, theft of funds, mistakes, and negligence. The amount shown reflects a modest increase consistent with the trend for annual insurance rates.

553704701 — Utilities

Expenses for utilities including water, sewer, electric power, natural gas, and garbage disposal. The amount shown reflects a modest increase consistent with expected rate increases for these services.

553704801 — Maintenance – Vehicles/Equipment

Expenses for maintaining and repairing vehicles, field equipment, technology systems, and other office equipment not allocated to another maintenance account (e.g, office furnishings, copy machines, etc.).

553704802 — Maintenance – Building

Expenses for carpet cleaning, electrical, mechanical, and other maintenance and repair work on the office building.

533704901 — Miscellaneous

Expenses for Agency membership in regulatory, professional, and other associations and organizations; staff education, training, seminars, and other professional development; bank service charges, interest charges, etc.; and other miscellaneous expenses. The amount shown reflects the expectation of additional training expenses related to (relatively) new staff and continuing inspection efforts.

533704902 — Ecology Oversight and Admin. Fee

Expenses for the Ecology oversight and administration fee for Air Operating Permit (aka Title V) sources.

Capital Projects/Fixed Assets

594536401 — Capital Projects/Fixed Assets

Expenses for the acquisition of tangible property valued at \$5,000 or more with a useful life of at least two years. Assets are depreciated over the useful life of the asset.

Expenses – Grant Operations

Wood Smoke Education

553701002 — Wages and Salaries

Expenses for wages and salaries paid to full-time and part-time employees of the Agency as permitted under the terms of the grant.

553702002 — Benefits

Expenses for employment benefits including employer contributions for employee health insurance, unemployment insurance, Medicare, Social Security or other supplemental retirement savings, industrial insurance (aka Workers' Compensation), and Public Employees Retirement System (PERS) as permitted under the terms of the grant.

553703002 — Overtime

Expenses for overtime (or time worked in excess of 40 hours in a work week) as permitted under the terms of the grant.

553703103 — Office Supplies

Expenses for office supplies. These are typically used in such small quantities as to make tracking and cost allocation impractical.

553704139 — Professional Services

Expenses for various professional or special services as permitted under the terms of the grant.

553704203 — Postage

Expenses for stamps, postage, and similar delivery costs as permitted under the terms of the grant.

PM 2.5

553701003 — Wages and Salaries

Expenses for wages and salaries paid to full-time and part-time employees of the Agency as permitted under the terms of the grant.

553702003 — Benefits

Expenses for employment benefits including employer contributions for employee health insurance, unemployment insurance, Medicare, Social Security or other supplemental retirement savings, industrial insurance (aka Workers' Compensation), and Public Employees Retirement System (PERS) as permitted under the terms of the grant.

553703003 — Overtime

Expenses for overtime (or time worked in excess of 40 hours in a work week) as permitted under the terms of the grant.

553703104 — Office Supplies

Expenses for office supplies. These are typically used in such small quantities as to make tracking and cost allocation impractical.

553704104 — Professional Services

Expenses for various professional or special services as permitted under the terms of the grant.

Wood Smoke Reduction

553701004 — Wages and Salaries

Expenses for wages and salaries paid to full-time and part-time employees of the Agency as permitted under the terms of the grant.

553702004 — Benefits

Expenses for employment benefits including employer contributions for employee health insurance, unemployment insurance, Medicare, Social Security or other supplemental retirement savings, industrial insurance (aka Workers' Compensation), and Public Employees Retirement System (PERS) as permitted under the terms of the grant.

553703004 — Overtime

Expenses for overtime (or time worked in excess of 40 hours in a work week) as permitted under the terms of the grant.

553703105 — Office Supplies

Expenses for office supplies. These are typically used in such small quantities as to make tracking and cost allocation impractical.

553704105 — Professional Services

Expenses for various professional or special services as permitted under the terms of the grant. This is comprised primarily of payments to third-party vendors for the replacement or conversion of older wood burning devices (including acquisition, permitting, and installation) under the low-income wood stove change-out program.

Expenses – Enterprise Operations

Visible Emission Certification

553701005 — Wages and Salaries

Expenses for wages and salaries paid to full-time and part-time employees of the Agency. Training of a new staff member to replace a retiring one in FY2024-25 resulted in a one-time increase in this cost during that period and is expected to return to normal in FY2025-26

553702005 — Benefits

Expenses for employment benefits including employer contributions for employee health insurance, unemployment insurance, Medicare, Social Security or other supplemental retirement savings, industrial insurance (aka Workers' Compensation), and Public Employees Retirement System (PERS).

553703005 — Overtime

Expenses for overtime (or time worked in excess of 40 hours in a work week).

553703106 — Office Supplies

Expenses for office supplies.

533703206 — Vehicles

Expenses for consumables related to vehicle operation such as gasoline, wiper blades, wiper fluid, etc.

533703506 — Small Tools and Equipment

Expenses for small tools and equipment needed to operate the mobile testing facility.

553704106 — Professional Services

Expenses for various professional or special services.

553704206 — Postage

Expenses for stamps, postage, and similar delivery costs.

553704306 — Travel and Transportation

Expenses for travel (e.g. meals and lodging) incurred as a result of providing training and testing.

533704506 — Rents and Leases

Expenses related to the rent or lease of space to conduct training and testing in various locations throughout Washington and Oregon as well as storage space for the mobile testing equipment.

553704806 — Maintenance – Vehicles/Equipment

Expenses for maintaining and repairing vehicles and equipment related to, and used in, the Visible Emissions Certification program.

533704906 — Miscellaneous

Expenses for other various expenses related to the Visible Emissions Certification program and not otherwise allocated.

Capital Projects/Fixed Assets

553706406 — Capital Projects/Fixed Assets

Expenses for the acquisition of tangible property valued at \$5,000 or more with a useful life of at least two years. Assets are depreciated over the useful life of the asset.

Contribution to Reserves

In years with higher revenues, this amount increases the reserves held by the Agency while in years with higher expenses, this amount is drawn from reserves. In FY 2024-25 funds were added to the reserves and these are being withdrawn for use in FY 2025-26, leaving the balance essentially the same as it was at the conclusion of FY 2023-24.

Reserve Fund Allocation

Operating Reserve

The Board has set a minimum operating reserve equal to 25% of the Agency's base operating expenses. The amount shown meets this requirement. These funds are used to cover Agency operating expenses during periods of significant, unanticipated economic impact such as the loss of grant funds or reduced revenues.

Legal Reserve

These funds are held to pay unanticipated legal service fees such as those related to an appeal regarding an order of approval, a lawsuit regarding an enforcement action, or to compel compliance with Agency regulations. Staff recommends a \$250,000 balance with a minimum of \$200,000.

Capital Reserve

The Board has set a minimum capital reserve equal to 10% of the Agency's asset replacement cost. The amount shown meets that requirement. These funds are used to replace capital items (e.g. desks, file cabinets, and other capitalized assets) lost or destroyed and not otherwise covered by insurance or at the end of their useful life.

Vehicle Replacement

Plans call for replacement of the Agency's aging vehicles in the near future. It is expected these new vehicles will be fuel-efficient, plug-in hybrid models that meet the statutory requirements pertaining to public agency vehicles and are better able to operate in areas without paved roads and (particularly) in winter weather conditions. These funds are held to pay for acquisition of these vehicles and any related items (such as markings, safety equipment, charging infrastructure, etc.). Additional funds have been allocated to this category due to anticipated increases in vehicle costs to approximately \$50,000 per vehicle due to higher steel and other material costs.

Major Vehicle Repairs

These funds are held to pay for major vehicle repairs if needed for existing vehicles. Upon replacement of the Agency fleet (see above), these funds will not be required until the vehicles have aged and are no longer under warranty.

Equipment Acquisition

These funds are held to acquire specialized equipment and clothing necessary to carry out the mission of the Agency. Substantial expenditures are anticipated as much of the equipment is technically complex and costs are commonly in the \$5,000 to \$20,000 range per device and associated equipment.

Building Acquisition

These funds are held to acquire the building the agency occupies or another building to reduce ongoing costs and allow for alterations to improve workflow.

Employee Cash-out Liability

Under Agency policy, departing employees may be entitled to cash-out a defined portion of the unused sick and vacation leave they have accrued. Employee departures are not typically planned sufficiently in advance to allow for inclusion in the budget and these funds assist in meeting what can be a sudden and unexpected demand for funds to meet the Agency's obligation.

Unallocated

Any funds held in reserve and not otherwise allocated for a specific purpose. These funds may be used, in tandem with other allocated reserve funds, to take advantage of unique opportunities, provide match funds in support of grant applications, address emergency circumstances (such as theft or vandalism), or provide additional monies to other budget line items or for any other purpose approved by the Board. Disproportionately higher revenue realized through the wood stove change-out program in the first half of the 2023-25 state biennium significantly increased reserves in FY2024-25. However, most of these excess funds will be used to make up for the resulting lower revenue realized in FY2025-26.

Yakima Regional Clean Air Agency
RESOLUTION NO. 2025-01

A Resolution of the Board of Directors
Adopting a Supplemental Income Assessment Rate

WHEREAS, the Yakima Regional Clean Air Agency (YRCAA) may impose a “supplemental income” assessment on each of its component cities, towns, and counties pursuant to Revised Code of Washington (RCW) 70A.15.1590 and in accordance with the provisions of RCW 70A.15.1600(1)(b) and RCW 70A.15.1600(2)(b); and

WHEREAS, the YRCAA Board of Directors has determined additional funds are required to meet budget expenditures as set forth in RCW 70A.15.1590; and

WHEREAS, the Board accepts the most recent population estimates for its component cities, towns, and counties as determined by the Washington State Office of Financial Management (ofm.wa.gov/washington-data-research/population-demographics/population-estimates) in accordance with RCW 70A.15.1600(1)(b);

NOW THEREFORE, BE IT RESOLVED, that the Board does hereby adopt a “supplemental income” assessment rate of \$0.54 per capita for each of its component cities, towns, and counties for the calendar year 2026 based on the population estimates described above and directs staff to certify to each component city, town, and county, prior to the fourth Monday in June, the amount of supplemental income to be paid pursuant to RCW 70A.15.1600(3).

ADOPTED IN OPEN SESSION this 12th day of June, 2025.

Jon DeVaney, Chairperson

Janice Deccio, Vice Chairperson

Amanda McKinney, Director

Hilda González, Ed.D., Director

Steven Jones, Ph.D., Director

ATTEST:

Marc Thornsbury, Executive Director

Yakima Regional Clean Air Agency
RESOLUTION NO. 2025-02

A Resolution of the Board of Directors
Adopting the Fiscal Year 2025-26 Budget

WHEREAS, the Yakima Regional Clean Air Agency (YRCAA) Board of Directors reviewed a proposed budget for fiscal year 2025-26 at its regular public meeting held April 10, 2025; and

WHEREAS, the Board held a public hearing on May 8, 2025, for the purpose of receiving comments from members of the public regarding the draft budget for fiscal year 2025-26; and

WHEREAS, the Board has considered all comments offered by members of the public concerning, and reviewed the details of, the draft budget for fiscal year 2025-26;

NOW THEREFORE, BE IT RESOLVED, that the Board does hereby adopt the fiscal year 2025-26 budget presented with \$1,551,908 in total projected revenue and \$1,661,460 in total projected expense in accordance with the provisions of RCW 70A.15.1590.

ADOPTED IN OPEN SESSION this 12th day of June, 2025.

Jon DeVaney, Chairperson

Janice Deccio, Vice Chairperson

Amanda McKinney, Director

Hilda González, Ed.D., Director

Steven Jones, Ph.D., Director

ATTEST:

Marc Thornsbury, Executive Director



Performance Appraisal Executive Director

Evaluation Scale	
N	= Not observed
0	= Unacceptable
1	= Needs improvement
2	= Meets expectations
3	= Exceeds expectations
4	= Outstanding

Employee:

Period: to

PERFORMANCE

- Readily corrects problems and follows up to insure satisfactory resolution.
- Completes tasks as directed, performs in a timely manner, and ensures effective results.
- Demonstrates initiative and the ability to self-direct.
- Accepts accountability and responsibility for work performance and outcomes.
- Works when needed and exhibits promptness, dependability, and dedication.
- Strives for accuracy, exhibits attention to detail, and delivers quality results.
- Demonstrates the ability to quickly learn and apply new skills and information.

Comments:

LEADERSHIP

- Knows, embraces, and communicates the mission and objectives of the agency.
- Sets goals and priorities consistent with board direction and pursues them to completion.
- Continually seeks ways to improve agency operations.
- Pursues professional development through conferences, industry associations, etc.
- Exhibits sound leadership and inspires confidence in that leadership in others.
- Develops and maintains effective relationships with constituents, peers, and other agencies.
- Engages state and federal legislative delegations and regularly communicates agency issues.
- Demonstrates long-term vision by anticipating trends, problems, and opportunities.

Comments:

JUDGMENT

- Uses sound judgment, employs tact, seeks understanding, and solicits information.
- Invites input from board members, staff, public, and others when appropriate.
- Exhibits decisiveness, proportionality, and discernment.
- Performs adequate research when evaluating opportunities, solutions, and alternatives.
- Demonstrates objectivity and makes timely, consistent, and appropriate decisions.
- Accurately balances costs and risks against benefits when evaluating possible action.
- Effectively addresses complex political and institutional situations.

Comments:

ADMINISTRATION

- Maintains policies, procedures, and other documents necessary for effective agency operation.
- Exhibits understanding of, and ensures compliance with, applicable laws and regulations.
- Continually seeks to improve efficiency and productivity of self and agency staff.
- Keeps daily agency operations running with minimal disruption.
- Ensures agency operates in a fiscally prudent and sound manner.
- Maintains a high standard of performance and professionalism for self and agency staff.
- Conducts oversight and ensures adequate internal controls to protect the agency.
- Adequately protects agency assets and data from loss, theft, or unauthorized access.
- Ensures agency equipment and vehicles are regularly maintained and fully operational.
- Maintains office in good working order and appearance.

Comments:

MANAGEMENT

- Shows respect for staff and encourages professional development.
- Delegates tasks and authority as appropriate.
- Encourages open communication and welcomes constructive criticism.
- Appropriately rewards and corrects staff performance.
- Works to foster teamwork and support a collaborative and harmonious work environment.
- Appropriately rewards and corrects staff performance.

Comments:

BOARD

- Accepts and carries out board policies and decisions.
- Communicates appropriate information to the board in a regular, effective, and timely manner.
- Promptly responds to requests from, and addresses the concerns of, the board.

Comments:

CREDIBILITY

- Conducts work with honesty, integrity, humility, respect, and reliability.
- Exhibits self-control and remains dispassionate when challenged or criticized.
- Displays a thorough understanding of agency operations, finances, and programs.
- Considers alternative points of view and maintains objectivity, impartiality, and sensitivity.
- Exhibits dress and demeanor appropriate to the position of Executive Director.
- Demonstrates broad knowledge and understanding in a variety of disciplines.

Comments:

COMMUNITY

- Interacts with registrants, permittees, public, and staff in a cordial and productive manner.
- Ensures agency web site content is current, comprehensive, and readily available.
- Provides an accurate and positive image of the agency to the public.
- Engages with local elected officials and boards, industry and community groups, and others.
- Promotes activities to educate the public concerning the agency’s purpose and programs.
- Ensures the development and availability of printed and online educational material.

Comments:

Objectives:

Remarks:

I hereby certify this joint evaluation is the result of a collaborative process involving, and represents the collective appraisal of, all members of the Board of Directors in attendance at the public meeting held on the date below.

(evaluator name and title)

(evaluator signature)

(date)

I acknowledge receiving a performance evaluation, including a copy of this document, and have been provided the opportunity to submit written comments within seven calendar days.

- I have submitted written comments (attached to this document).
- I have **not** submitted comments.

(employee signature)

(date)

**POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON**

FRIENDS OF ROCKY TOP (FORT);
NANCY LUST and CAROLE DeGRAVE,

Appellants,

v.

YAKIMA REGIONAL CLEAN AIR
AGENCY and DTG ENTERPRISES INC.,
dba DTG RECYCLE – YAKIMA,

Respondents.

PCHB No. 24-021

ORDER ON STANDARD OF REVIEW

I. INTRODUCTION

On April 18, 2025, the Pollution Control Hearings Board (Board) issued the Order on Motion to Dismiss and Order on Summary Judgment, ordering the parties to brief the issue of whether or not the “clearly erroneous” standard applies to all or part of this review. Briefing was limited to five pages in length and a deadline set for May 5, 2025.

On May 3, 2025, Respondents Yakima Region Clean Agency (YRCAA) and DTG Enterprises Inc. (DTG) (collectively, Respondents) filed Respondents’ Joint Supplemental Brief on Standard of Review. Appellants did not file a brief.

II. BACKGROUND

Friends of Rocky Top (FORT), Nancy Lust, and Carole DeGrave (collectively, Appellants) filed an appeal with the Board on April 11, 2024, challenging the Order of Approval Permit No. NSRP-03-DTGEI-22 issued by YRCAA) to DTG.

1 The Board deciding this matter was comprised of Board Chair Michelle Gonzalez and
2 Board Members Christopher G. Swanson and Gabriel E. Verdugo. Board Member Swanson
3 presided for the Board. Attorney James C. Carmody represented Appellants. Attorney Jeffrey S.
4 Myers represented YRCAA. Attorneys Michael L. Dunning and Rebecca Human represented
5 Respondent DTG.

6 Because legal precedent supports application of the clearly erroneous standard, the Board
7 concludes that the clearly erroneous standard applies to the question of whether YRCAA properly
8 relied on the SEPA threshold determination by Yakima County relating to new information under
9 WAC 197-11-600(3)(b).

10 III. ANALYSIS

11 In their joint brief, Respondents noted that the clearly erroneous standard is applied in
12 judicial review of threshold determinations of nonsignificance. *Norway Hill Pres. & Prot. Ass'n*
13 *v. King County Council*, 87 Wn.2d 267, 552 P.2d 674 (1976). Respondents also noted that the
14 standard has been applied to other substantive SEPA decisions. *Victoria Tower P'ship v. City of*
15 *Seattle*, 59 Wn. App. 592, 596 (1990); *Polygon Corp. v. Seattle*, 90 Wn.2d 59, 69 (1978); *Cougar*
16 *Mountain Assocs. v. King County*, 111 Wn.2d 742, 747 (1988). Respondents also cited several
17 cases involving SEPA in which the Board has applied the clearly erroneous standard, including
18 three cases in which the Board applied the standard in reviewing an agency's reliance on a previous
19 threshold determination. *Center For Environmental Law & Policy v. Dep't of Ecology*,
20 PCHB No. 09-113, 2010 WL 1821357 (May 3, 2010); *Advocates For A Cleaner Tacoma v. Puget*
21 *Sound Clean Air Agency*, PCHB No. 19-087c, 2021 WL 6195873 at *37 (Nov. 19, 2021);

1 *Cornelius v. Wash. Dep't of Ecology*, PCHB No. 06-099, 2008 WL 5510405 (Jan. 18, 2008) at
2 *25. Respondents also argue that the Board is obligated to give YRCAA's decision to rely on
3 Yakima County's threshold determination substantial weight. RCW 43.21C.090; *Barrie v. Kitsap*
4 *County Boundary Review Bd.*, 97 Wn.2d 232, 235 (1982); *City of Bellingham v. Dep't of Nat. Res.*,
5 PCHB No. 11-125, PCHB No. 11-130, 2012 WL 1463552 at *6 (Apr. 9, 2012).

6 We agree with Respondents. The weight of authority supports application of the clearly
7 erroneous standard in the limited issue remaining for review. Additionally, the Board will give
8 substantial weight to YRCAA's decision. *See* RCW 43.21C.090.

9 **IV. ORDER**

10 The Board will apply the clearly erroneous standard and give substantial weight to
11 YRCAA's decision to rely on Yakima County's SEPA threshold determination.

12 SO ORDERED this 9th day of May, 2025.

13 **POLLUTION CONTROL HEARINGS BOARD**

14 

15 _____
16 CHRISTOPHER G. SWANSON, Presiding Officer
Board Member

17 

18 _____
19 MICHELLE GONZALEZ, Board Chair

20 

21 _____
GABRIEL E. VERDUGO, Board Member