

**SPOKANE REGIONAL CLEAN AIR AGENCY
BOARD MEETING MINUTES**

**November 1, 2018 9:30 a.m.
Spokane Clean Air's Conference Room
at 3104 E. Augusta Ave.**

BOARD MEMBERS:

Al French, Commissioner (Chair)
Ben Stuckart, City of Spokane
Tom Brattebo, Member at Large (VC)
Kevin Freeman, Mayor of Millwood,
Small Cities & Towns
Rod Higgins, Mayor, City of Spokane Valley

STAFF MEMBERS PRESENT:

Julie Oliver, Executive Director
Lisa Woodard, Communication/Outreach Sect. Mgr.
Lori Rodriquez, Compliance Section Manager
April Westby, PE, Supervisory Engineer
Mark Rowe, Monitoring Section Manager
Margee Chambers, Rule Writer/SIP Planner
Michelle Zernick, Finance & HR Sect. Mgr.
Mary Kataoka, Administrative Assistant

OTHERS PRESENT:

Michelle Fossum & Kristina Montanez, Legal Counsel
Ron Edgar, Advisory Council Member
Deborah Bisenius, Advisory Council Member

WORK SESSION: 9:30 a.m.

1. Marijuana Registration & Fee Update – Margee Chambers

The PowerPoint presentation consisted of a review of the marijuana regulatory program and agency funding sources; marijuana registration included initial registration fees (program development estimate and actual), annual registration fees (program development estimate and revised estimate based off registration) and fee comparisons; and discussion involved options and timeframe and guidance from the Advisory Council and the Board.

Ron Edgar stated that the Advisory Council had the same marijuana registration and fee update presentation and the Advisory Council agreed that keeping the fee structure in Article X and the dollar amount in the Fee Schedule as it currently exists would be the best option for the Agency.

Kevin Freeman made a motion to put Option One as an action item on the agenda for December and Rod Higgins seconded the motion. Motion passed by a four to one vote.

BOARD MEETING: 10:10 a.m.

1. **Advisory Council Report – Ron Edgar** – Report was given during the work session above.

2. **Executive Director’s Report – Julie**

Milliman will be issuing an addendum to the Compensation Study Report. The addendum will address some errors in the report as well as questions staff have regarding the report. Clayton Krietzman is the new Air Quality Specialist and starts November 1, 2018. Ecology’s Air Quality Program Grant Coordinator for our grants, Carrol Johnston, will be coming over from Lacey to train Michelle Zernick on the Ecology Grants and Loans System. Michelle Zernick has started training on the BIAS software. Spokane Regional Health District hosted a post-wildfire season meeting with Ecology, Spokane County Emergency Management and SRCAA. We discussed what worked, what didn’t work and what could be improved. I attended the National Association of Clean Air Agencies fall membership meeting in Cleveland. One thing to note was a session on perfluoroalkyl and polyfluoroalkyl substances (PFAS). This large family of about 4,000 chemicals is in everyday products and is a cross-media (water, land, and air) issue. From an air quality perspective, PFAS may be directly emitted to the air, used in various manufacturing processes, and can be used to control air emissions. It can also reenter the air as dust from soils where PFAS was previously deposited. This is an evolving issue that we will continue to watch and apprise the Board of as appropriate. Some discussion ensued.

ACTION ITEMS:

3. **Consent Agenda**

- a. Approval of the October 4, 2018 Board Minutes
- b. Approval of Vouchers for October, 2018, numbered 10938 thru 10950, 10953 thru 10976 and 10978 thru 10991 with claims totaling \$49,207.50 and payroll numbered 10951, 10952, 10977 and EFTs totaling \$155,935.49 – for a Grand Total of \$205,142.99

Rod Higgins moved to approve the consent agenda as presented and Tom Brattebo seconded it. Motion passed unanimously.

4. **Review of Restricted No Burn Area per WAC 173-425-040(5) – Julie Oliver**

An overview of the restricted burn area was given. SRCAA staff is recommending no change in the Restricted Burn Area for the 2018 three-year review required by WAC 173-425-040(5). Some discussion ensued.

Kevin Freeman moved for approval of the staff recommendation and Tom Brattebo seconded it. Motion passed unanimously.

5. **PUBLIC HEARING:** 10:32 a.m. – 10:33 a.m.

A presentation was given on the NOC program cost-recovery; NOC/NOI fees – Washington Legislative Authority; NOC/NOI fee research; proposed NOC fee structure changes in Article X, Section 10.07; additional proposed Article X changes; proposed consolidated fee schedule changes; stakeholder outreach; and comments.

- a. **Resolution 18-14** – Amending SRCAA Regulation I, Article X, Sections 10.02, 10.04, 10.05, 10.07 – Fees & Charges Relating to NOC & Public Records – Margee Chambers

There were no public comments. Kevin Freeman moved to approve Resolution 18-14 as presented and Rod Higgins seconded it. Motion passed unanimously.

b. Resolution 18-15 – Amending the Consolidated Fee Schedule, Section 10.07 – NOC & NOI Fees – Margee Chambers

There were no public comments. Rod Higgins moved to approve Resolution 18-15 as presented and Kevin Freeman seconded it. Motion passed unanimously.

NON-ACTION ITEMS:

6. Executive Session (Purpose will be announced if session is needed.) None needed.

The Board went into Executive Session pursuant to RCW 42.30.110(1)(a)(i) at 10:36 a.m. for 15 minutes to discuss enforcement actions and pending potential litigation with Julie Oliver and Counsel staying. Commissioner French reconvened the board meeting at 10:51 a.m. with no decisions made as a result of the Executive Session.

7. Activity Reports: September

a. Public Information/Education Update – Lisa Woodard – There were overviews of the October community events/school programs/presentation; print/online materials/media; social media; No-Idle Zone program; ongoing/special projects (wood stove change-out grant, 2019 calendar development underway and 50th anniversary planning); University of Washington symposium on wildfire risk communication; and upcoming events.

b. Compliance Activity – Lori Rodriguez – An overview of the complaints was given. Wood stove complaints are up and odor complaints consisted of a total of eight with three of those being marijuana related from the same facility. Some discussion ensued.

c. Permitting Activity – April Westby – An overview of the permitting activity was given. Six applications were received in the month of October.

d. Air Monitoring Activity – Mark Rowe – An overview of the September air quality index was given. The maximum 24-hour PM_{2.5} for the month was 34.6 micrograms per cubic meter of air. The highest Ozone was 62 parts per billion at Greenbluff on the October 7th. Some discussion ensued.

e. Financial Status Report – Michelle Zernick – There was a slight error in the ending program cost totals for FY-18. A corrected program cost sheet was handed out. Michelle Zernick asked what the Board would like to know about during these updates. The Board would like to see anomalies between what the Board adopted and where SRCAA stands in the year-to-date; and is there any trend to this starting to develop that the Board should be aware of and be anticipatory to as opposed to reactionary.

8. Public Forum – There were no public comments.

9. Board Concerns – Discussion ensued between the Board and legal counsel regarding a federal court decision involving marijuana and property damages under the Racketeer Influenced and Corrupt Organizations (RICO) Act. There will be a quorum for the December meeting. The Board was asked to bring their calendars because at the December 6th board meeting the Board will set next year’s schedule.

10. Next Board Meeting – 9:30 a.m., Thursday December 6, 2018, Spokane Regional Clean Air Agency Office at 3104 E. Augusta Ave.

11. Adjournment – The board meeting was adjourned at 11:18 a.m.

COMMISSIONER AL FRENCH, CHAIR

JULIE OLIVER, EXECUTIVE DIRECTOR