



SPOKANE REGIONAL CLEAN AIR AGENCY
BOARD MEETING MINUTES

November 1, 2007 9:00 a.m.
SPOKANE COUNTY PUBLIC WORKS BUILDING
LOWER LEVEL HEARING ROOM

BOARD MEMBERS PRESENT:

Board Member Melissa Ahern
Chair Jeff Corkill
Councilmember Mike DeVleming
Mayor Matthew Pederson

STAFF MEMBERS PRESENT:

Bill Dameworth, Director
Barbara Nelson, Finance & Personnel Admin.
Lisa Woodard, Public Info. Officer
Matt Holmquist, Compliance Administrator
Ray Kelleher, Advisory Council Member
Michelle Wolkey, Legal Council
Mary McDermott, Secretary

WORK SESSION: The work session began at 9:03 a.m.

1. Silvicultural Burning – DNR Representatives

Matt Castle of DNR, Fire Patrol Forester for the District, introduced Andrew Stenbeck the District Manager for DNR Arcadia District Two and Forrest Ownbey the Regulation Forester who oversees the Fire Wardens and the Burn Permit Program. The district encompasses all of Spokane County and large parts of Stevens, Pend Oreille and Lincoln Counties. Their job besides fire suppression is fire regulation and burn permit regulation on state protection.

DNR jurisdiction is unimproved land, timbered forest land, sage brush land or natural vegetation which is on unimproved/unmaintained property. Improved property is people's yard and garden areas where they mow, water and maintain those areas around their homes. A lot of times there is a gray area where there is that transition; where you have timbered pastures DNR usually takes those as their jurisdiction.

The two agencies that regulate burning in Spokane County are Spokane Regional Clean Air Agency (Spokane Clean Air) and the Department of Natural Resources (DNR). Outside of Spokane County the Department of Ecology (DOE) and DNR regulate burning. Under DNR's burning program on those unimproved lands there are two systems that people can burn under. One is the burn permit system and the other is DNR's rule burn which is a set of rules that people follow. In the State of Washington under the rule burn, people can burn a single pile depending on which county they're in and there may be a size restriction. The rule burn is designed for most small land owners for routine

maintenance cleanup. In Spokane County the size is a four foot pile for a rule burn, year round when open burning is allowed. Burning can be banned due to fire danger or air quality. The burn permit system is for anything greater than a single four foot pile in Spokane County. DNR issues a large number of permits. In DNR's district it processes approximately 2,000 permits and validates about 1,800 a year. In Spokane County, DNR validated 1,085 burn permits. Because of the uniqueness and rural areas around Spokane, five and ten acre and forested parcels, DNR issues a large number of permits for maintenance and cleanup. About 10% of those 1,000 permits are the industrial type permits, like large logging operations.

Tied in with DNR's burn permit system is the smoke management program. For large burns, DNR calculates and tracks tonnage burns for permits that are over 100 tons. There is coordination through the smoke management program in Olympia. Those people who burn over 100 tons daily have to call and request smoke management approval prior to and the day of the burn. Meteorologists and smoke management people in Olympia review the requests and coordinate with DNR's dispatch personnel and local organizations of whether they approve or disapprove the burn based on air quality, number of burns going on, federal burning, etc.

Locally, restrictions or concerns for DNR are inside city limits, incorporated city limits and urban growth areas (UGA). DNR has no jurisdiction and does not issue any burning permits or allow any burning of their rules inside these areas. With the previous non-attainment area in Spokane County, DNR still follows the criteria used then for special and fire hazard burns. That criteria is only Monday through Friday burning from nine to three, daily extinguishment, no material larger than five inches diameter (no stumps) and only natural cured vegetation (no green material). DNR encourages alternative disposal methods but its real program goal is to balance forest health, fire hazard issues and air quality. DNR does update its burn restrictions to match Spokane Clean Air's so that it is consistent with air quality.

DNR's enforcement tool is a criminal citation, they do not issue civil penalties. We have forest rangers that have a police powers commission to write citations and most of the citations are about \$181 but it is a criminal citation and goes on their criminal record. The only cost recovery that DNR does associated with illegal burning is if they have started a fire and DNR has to expend monies to put out that fire and mop it up.

DNR has an extreme fire hazard law that requires land owners to abate extreme fire hazards. Extreme fire hazards include slash piles within 100 feet of a public road, slash piles within 500 feet of a neighboring residence or other large accumulations of slash in certain areas that DNR determines to be an extreme fire hazard. Chair Corkill noted that the brochure DNR and Spokane Clean Air created as a team effort will be of great help to the public to help educate them on whose rules they are burning under and what they need to do to be burning legal. He believes that education and agencies working together are a key component in being efficient in helping the public and keeping the air clean.

BOARD MEETING: The board meeting was called to order at 9:22 a.m.

1. Advisory Council Report – Ray Kelleher

Ray gave an overview of the last council meeting. The Advisory Council reviewed the wood stove change-out program with Lisa Woodard. Lisa also went over the smoke control zone which is

the area that is being targeted for the change outs. The incentive for this program besides the money rebate on the device that is purchased is that you will save money on the amount of wood used to heat your home. The Advisory Council Members agree that this is a good program and will help the air quality in Spokane and the County.

2. Director's Report – Bill Dameworth

Bill stated that Spokane Clean Air has completed the personnel review forms & will begin using them this month. The position descriptions have been changed for all of the employees that are paid hourly so that it will reflect the change required by Federal Law. Lisa, Ron and Bill met with the local news media to discuss the curtailment program and how it is going to work. There was good response from the media on this. A meeting has been set with Baker Commodities (Baker) to discuss compliance issues. Bill met with K & L Gates and they are putting together a proposal that will include their Seattle environmental team to help Spokane Clean Air prepare a proposal for the next steps with Baker. The next potential step is to require Baker to conduct stack tests to determine if there are any air toxics in the emissions. The Wood Smoke Advisory Work Group will be finalizing its report to the legislature in November. The Group would like to have all of the participants sign it but Bill told them that Spokane Clean Air's Board of Directors would have to look at it and approve it before he or one of the Board Members signed it. Bill has looked at some additional office properties and did find one that may be a possibility, and he will explore it further. Chair Corkill asked about the report to the legislature from the wood stove group on what has been done so far. Bill replied that the report will include recommendations for a number of things, including what the rest of the state needs to be doing on burn ban limits, the concept of the two stage burn ban versus one stage, the rebate program for solid fuel burning devices and other incentives for changing out old non-certified devices.

Mayor Pederson asked what the current policy was during curtailments. Bill stated that during curtailments, compliance staff will be out in the field watching for excessive smoke coming out of chimneys and responding to complaints received on the complaint line. They will knock on the person's door and give them some informational literature and ask if the device is certified so they can educate the person on the stages of curtailment. Spokane Clean Air is not looking to fine the individuals but to educate them. Matt Holmquist added that there is a three hour burn down time allowed when a ban is called. Lisa added that the Spokesman Review will be putting the wood stove restriction/no restriction with Spokane Clean Air's web site to contact during bans in the newspaper again.

3. Public Information/Education Update – Lisa Woodard

Lisa went over the October information and education updates. The outreach activities and events consisted of a booth at the Home Idea Show and the Fall Leaf Festival at Finch Arboretum. Spokane Clean Air participated at the Girl Scout's event "Expanding Your Horizons" at SCC and the transportation fair at DSHS. We are researching and drafting a lot of new compliance assistance materials to kick off the Pollution Prevention program with free consultations to registered facilities. The wood heating/burn ban season has had media coverage. The new wood burning brochure has been printed. Two television wood heating spots have been developed and will start airing the week of November 11. The outdoor burning program had a chipping and composting event that was expanded to two days in the south part of the county because it is now a no-burn area for yard and garden debris. Direct event expenses were \$3,360 which include a direct mailer to 1,500 area residents, flyers, print

ad, radio remote, collection and hauling of the debris and 32 compost bins handed out. There were 35 people who showed up for the two day event so this shows us that there isn't a demand for this type of two day event in this area so we will go back to one day. The spring event on the north side has been well attended with approximately 100 people showing up. Special projects consist of coordination for the wood stove change-out and rebate program.

4. Activity Report for September 2007

Chair Corkill stated the air quality for September was pretty good.

5. Income/Expense Statement for September 2007 – Barbara Nelson

Barb stated that the income and expense statement is on track for everything.

CONSENT AGENDA – ACTION ITEM – The Board may approve the Consent Agenda by single motion in whole or in part with or without further discussion.

6. Approval of the October 4, 2007 Board Minutes / Approval of Vouchers for October 2007 – \$497,026.43

Councilmember DeVleming moved to approve the consent agenda and Mayor Pederson seconded it. Motion passed unanimously.

7. Resolution 07-35 – Approval of Wood Stove Grant Budget FY 08-09

Barb stated that this is a two year grant and this is a budget so that the money can be appropriated for education and enforcement of the wood stove program.

Councilmember DeVleming moved to approve Resolution 07-35 and Mayor Pederson seconded it. Motion passed unanimously.

8. Resolution 07-36 – Establish a Budget for Bio Diesel Cost Differential Project

Barb stated that this is to approve a budget for paying a cost differential for the cost of bio diesel at Central Valley, Freeman and Medical Lake School Districts. This is a continuation of a SEP project from penalty money collected from Baker Commodities years ago. This project has been in place but the budget expired and the funds of \$34,615 still exist for this same project. This Resolution is to continue the program with the school districts until this money is spent or June 30, 2009.

Board Member Ahern moved to approve Resolution 07-36 and Mayor Pederson seconded it. Motion passed unanimously.

9. Discussion of Job Descriptions – Barbara Nelson

In the process of revising Spokane Clean Air's Employee Handbook, it was learned that the non-exempt employees must be paid hourly. This is a house keeping Resolution that has identified the non-exempt positions as hourly. Michelle Wolkey added that legally there are categories of people

who are set up to be exempt. They usually fall into categories that are professional which is higher education, an executive person who is performing management responsibilities, some administrative folks, outside sales people are considered to be exempt and some high ranking computer folks are exempt and in each of those categories there are set criteria that you have to meet. Non-exempt employees have entitlement to overtime pay for every hour they work in excess of 40 hours per week. Barb added that the management staff (supervisors, director) and the engineering staff have been identified as exempt because they either meet the professional or administrative executive classifications. The rest of the employees (clerical support, inspection staff, air monitoring staff and the support in the education program) would be non-exempt and can receive overtime pay or comp time at time and a half. It is close to 50% exempt and 50% non-exempt employees.

10. Resolution 07-37 – Convert Pay Scale from Salary to Hourly for Non-Exempt Employees and Amend Job Descriptions

Board Member Ahern moved to approve Resolution 07-37 and Councilmember DeVleming seconded it. Motion passed unanimously.

11. Resolution 07-38 – Approval of SRCAA being a Sponsoring Agency for an Member for a No Idle Zone School Program and to Appropriate Project Reserve Account Funds for the Program

Lisa Woodard stated that one of the Advisory Council Members, Tom Brattebo, recommended Spokane Clean Air sponsor a Member for the No Idle Zone School Program. Spokane Clean Air has to meet the criteria to have a Volunteer. It would be a six month position from January to June and if it works out good we could apply next year for a Member for 11 months. We would pay the Palouse-Clearwater Center a cash match of \$3,600 for the Member.

Mayor Pederson moved to approve Resolution 07-38 and Councilmember DeVleming seconded it. Motion passed unanimously.

12. Board Concerns: The Board Members tentatively set the date of April 30, 2008 for the board retreat.

13. Public Forum: There were no public concerns.

The meeting adjourned at 10:13 a.m.

The next Board Meeting will be December 6, 2007 at 9:00 a.m. in the lower level of the Public Works Building.

JEFFREY CORKILL, CHAIR

WILLIAM DAMEWORTH, SECRETARY