

Southwest Clean Air Agency

Board of Directors Minutes

April 3, 2025

The regular meeting of the Southwest Clean Air Agency Board of Directors was held in the Southwest Clean Air Agency office, Vancouver, Washington on April 3, 2025.

Those present were: Dr. Alan Melnick, Chair, Clark County
Diana Perez, Director, City of Vancouver
Steve Rader, Director, Cowlitz County
Lee Tischer, Director, Wahkiakum County
Ruth Kendall, Director, City of Longview
Danielle Jokela, Director, Member at Large
Sean Swope, Director, Lewis County
Rob Farris, Director, Skamania County

Excused: Andy Oien, Director, City of Centralia
Robert Stowe, Director, Town of Cathlamet
Ben Shumaker, Vice-Chair, City of Stevenson

Also Present: Staff: Uri Papish, Executive Director
Traci Arnold, Office Administrator

Guests: None

Call to Order

Dr. Melnick called the meeting to order. A quorum was confirmed to exist.

Board of Directors Minutes

Dr. Melnick asked for consideration of the March 6, 2025 minutes. Ms. Kendall moved and Ms. Jokela seconded that the minutes for the March 6, 2025 Board meeting be approved. Ms. Perez abstained. Motion passed.

Consent Agenda

Dr. Melnick asked for approval of the Consent Agenda including voucher numbers 347 through 388, 390, 391 in the amount of a\$66,863.50 which have been approved for payment by the Executive Director, Voucher number 389 in the amount of \$29,560.00, February 2024 Financial Statements, February 2025 Salaries and Benefits in the amount of \$183,978.57. Ms. Kendall moved and Ms. Jokela seconded that the Consent Agenda be approved. Motion passed.

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Changes to Agenda

None

Info Items & Public Comment

None

Public Hearing

None

Unfinished Business/New Business

Dr. Melnick opened discussion on the decision on Cost-of-Living wage adjustments for Fiscal Year 2025/2026 and recognized Mr. Papish. Mr. Papish said a decision on SWCAA’s employee cost of living wage adjustments is one of the early budget decisions that must be made prior to submitting the proposed Fiscal Year 2025/2026 Budget for Board approval. The proposed Fiscal Year 2025/2026 Budget will be presented to the Board of Directors for approval at the May Board meeting.

Below is some data regarding inflationary indexes along with a survey of COLAs at other local government agencies in SWCAA’s jurisdiction:

- 2024 Western States Labor Cost Index 4.3%
- 2024 Western States Consumer Price Index 2.5%
- 2025 Local Government COLA Average 3.7%

Jurisdiction	COLA* %
Clark	3
Lewis	3.5
Skamania**	6
Wahkiakum	3
Cowlitz	3.5
Stevenson	2.8
Vancouver***	2 - 8
Cathlamet	3
Longview	4
Centralia	3
Average	3.7

Notes:
* Some COLAs vary by bargaining unit or position classification
** High COLA due to increased health care contribution rate
***Sliding scale based on salary range and new comp structure, average used for calcs

In 2023, the SWCAA Board of Directors switched from using the Western Region Consumer Price Index (CPI) to the Western Region Labor Cost Index (LCI) to determine COLAs. The LCI measures changes in the cost of labor, including wages, benefits, and other compensation. It helps track inflation in labor expenses and provides insights into the overall health of the labor market. The index shows how much labor costs increase or decrease.

Ms. Kendall asked if agency salaries are in line with comparable positions. Mr. Papish responded a salary survey was done a few years ago and salaries are comparable. Since the survey was pre-covid, it's possible adjustments might be necessary.

Mr. Farris asked if the budget is favorable to accommodate the Western States Labor Cost Index at 4.3%. Mr. Papish said the preliminary outlook suggests the budget will be able to accommodate 4.3%, however, if the budget does not accommodate this index it will be adjusted lower. The agency is asking the board to approve a percentage which will not be exceeded, but could be lowered if necessary to balance the budget.

Dr. Melnick reminded the board the agency increases fees by the cost of living each year to keep up with inflation.

Ms. Jokela asked for clarification on how the agency can accommodate the increase without the budget numbers in hand. Mr. Papish said this decision impacts the budget to the extent it must be decided ahead of the budget finalizing process. The percentage approved today will be a limit and if the budget does not accommodate the increase it will be lowered as needed. Ms. Jokela also asked for clarification around the COLA table provided to the board in the agenda. Mr. Papish explained the different jurisdictions and some of the notes on the table.

Ms. Perez asked if the three index options provided in the agenda are the only options for the board to choose from. Mr. Papish said the indexes can be considered as a guide, the board can choose any number they feel is appropriate.

Ms. Jokela explained the COLA index is not a good identifier for costs being experienced by staff because it does not include housing costs.

Mr. Radar asked if this adjustment is given every year. Mr. Papish responded a cost of living adjustment is presented to the board every year.

Dr. Melnick asked for a motion. Ms. Kendall made a motion for a 4.3% COLA effective July 1, 2025 provided the budget can accommodate this increase. Ms. Jokela seconded the motion. Motion passed unanimously.

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Executive Session

Dr. Melnick opened discussion on the performance evaluation for the Executive Director. Dr. Melnick asked for the Board to go into Executive Session for the purpose of performing the Executive Director's performance evaluation. He said the Executive Session will be utilized for discussion related to the performance evaluation in accordance with RCW 42.30.10(1)(g). Any salary adjustment or other decision will be made during the open public meeting following the Executive Session. He requested Mr. Papish and the general public to leave during the Executive Session which he estimated would begin at 3:31 and last for 5 minutes.

Dr. Melnick reconvened the general meeting at 3:36.

Dr. Melnick said the board agrees Mr. Papish is doing great work at the agency and is in fact doing a fantastic job in his role as Executive Director.

Ms. Kendall moved to approve the Executive Director evaluation and goals for the upcoming year as well as a 4.3% COLA increase for the Executive Director to be effective July 1, 2025. Mr. Rader seconded the motion. Motion passed unanimously.

Mr. Papish expressed his appreciation to the Board.

Executive Director's Report

Mr. Papish summarized the information provided in the Executive Director's Report and offered to answer any questions.

New EPA Enforcement Guidance Discourages Action Involving Energy, and Consideration of Race and Socioeconomic Status (March 14, 2025)

The U.S. Environmental Protection Agency (EPA) has issued new enforcement guidance that revises the priorities of its Office of Enforcement and Compliance Assurance (OECA). This guidance, outlined in a memorandum from EPA Acting Assistant Administrator Jeffrey Hall, aligns with the President's Executive Orders and Administrator Zeldin's "Powering the Great American Comeback" initiative. The key changes include:

No Consideration of Environmental Justice: The guidance prohibits considering race and socioeconomic status in enforcement and compliance activities, including targeting violations, assessing penalties, or enforcing orders. Demographic factors such as minority or low-income populations cannot be used, unless required by statute or regulation.

Limitations on Energy Sector Enforcement: The memo restricts enforcement actions that could disrupt energy production and power generation, including exploration, distribution, and power plants. Enforcement will only occur if there is an imminent threat to human health or an explicit legal requirement to act.

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The guidance is intended as initial direction, with plans to revise the National Enforcement and Compliance Initiatives (NECIs) in the future.

For further information: <https://www.epa.gov/system/files/documents/2025-03/implementingnecisconsistentlywiththeosandagencypriorities.pdf> ; and <https://www.epa.gov/enforcement/national-enforcement-and-compliance-initiatives>

EPA Announces Massive Effort to Roll Back Clean Air Act Rules (March 12, 2025) In what EPA Administrator Lee Zeldin described as “the greatest day of deregulation our nation has seen,” EPA announced a major effort to reconsider and repeal a sweeping range of environmental protections under the Clean Air Act (CAA), Clean Water Act, and other environmental laws. In 22 press releases touching on 31 intended regulatory actions, Zeldin announced plans to modify scientific boards, dismantle decision-making processes, revisit regulations governing criteria, climate, and toxic air pollutants, and step away from regulations limiting emissions from stationary and mobile sources.

Criteria Pollutants: EPA plans to revisit air quality standards, especially for particulate matter (PM) and ozone, which have raised concerns about their impact on industries. The agency also aims to address the backlog of State Implementation Plans (SIPs).

Climate Change: The EPA intends to reconsider its 2009 finding that greenhouse gases (GHGs) endanger public health and welfare, as well as related regulations on GHG emissions from power plants and vehicles. The agency will also review the "Social Cost of Carbon" and reconsider several rules aimed at reducing GHGs from fossil fuel combustion and the oil and gas sector.

Air Toxics: The EPA plans to reconsider the Mercury and Air Toxics Standards (MATS) and other National Emission Standards for Hazardous Air Pollutants (NESHAP) for various industries. The agency is considering exemptions from compliance for some facilities under the Clean Air Act.

Motor Vehicles: The EPA intends to revisit regulations on emissions from light-duty, medium-duty, and heavy-duty vehicles, including future emission standards and the Clean Trucks Plan.

Enforcement and Permitting: The agency states it will revise its enforcement priorities to focus on health and safety issues while reducing the economic impact on energy production. It also plans to reform permitting requirements, including New Source Review, to provide more flexibility for industries.

These changes are part of a broader deregulatory effort to reduce environmental burdens and foster economic growth, with a particular emphasis on energy production and manufacturing.

For further information: <https://www.epa.gov/newsreleases/epa-launches-biggest-deregulatory-action-us-history>

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GAO: California Waivers Aren't "Rules" (March 5, 2025) The U.S. Government Accountability Office (GAO) has reaffirmed a 2023 decision that waivers of preemption granted to California under CAA Section 209 to set standards for mobile sources are decisions of record – not rulemakings – and are therefore not subject to review under the Congressional Review Act (CRA). A CRA action enables Congress to overturn agency rules within 60 business days of finalization and prohibiting substantially similar actions by the agency in the future. On February 14, 2025, Administrator Lee Zeldin had transmitted three waivers already granted to California – for its Advanced Clean Cars II, Advanced Clean Trucks, and Omnibus NOx rules – and in so doing, described them as “rules”, which could potentially subject them to disapproval by Congress under the CRA. Under section 177 of the CAA, other states can adopt California’s standards; thirteen states including Washington and the District of Columbia have adopted the car rules, 11 states including Oregon, have adopted those standards pertaining to trucks. Republican Lawmakers are seeking a ruling from the U.S. Senate Parliamentarian about whether these waivers qualify for CRA review. For more information: <https://www.gao.gov/assets/880/875948.pdf>

Mr. Rader asked for an update on the Drax facility. Mr. Papish said the agency is still waiting for Drax to re-submit a permit application. Mr. Rader asked if the history and/or the reputation of a facility is taken into consideration when issuing a permit. Mr. Papish said those factors are not taken into consideration, but all applicable rules and regulations will be taken into consideration.

Board Policy Discussion Issues

None.

Issues for Next Meeting

- A. Public Hearing.
 - 1. As Necessary.
- B. New Business/Unfinished Business.
 - 1. SWCAA Budget (May)
- C. Meeting Date and Location.
 - 1. May 1, 2025 at 3:00 p.m. Southwest Clean Air Agency, 5105 NE 82nd Ave., Suite 102, Vancouver, Washington.

The next Board of Directors meeting will be held on May 1, 2025 at 3:00 p.m., Southwest Clean Air Agency, Vancouver, Washington.

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Board Meeting Attendance:

JURISDICTION	J 2025	F 2025	M 2025	A 2025	M 2024	J 2024	J 2024	A 2024	S 2024	O 2024	N 2024	D 2024
Clark County	+	+	+	+	+	0	C	+	+	+	+	C
Cowlitz County	0	0	+	+	+	+	C	+	+	A	A	C
Lewis County	0	+	+	+	0	+	C	0	+	+	0	C
Skamania County	0	+	+	+	+	+	C	+	+	+	+	C
Wahkiakum County	+	+	+	+	+	+	C	+	+	+	+	C
Cathlamet	+	+	0	0	+	+	C	+	+	+	+	C
Centralia	+	+	+	0	A	+	C	+	+	+	+	C
Longview	+	A	+	+	+	+	C	0	+	+	+	C
Stevenson	0	+	+	0	+	+	C	+	+	+	0	C
Vancouver	0	0	0	A	+	+	C	0	+	0	0	C
Member-At-Large	+	+	+	+	+	+	C	0	0	0	0	C

+ = regular member present; 0 = unrepresented; A = alternate present; C = cancelled meeting

Dr. Melnick adjourned the meeting without objection at 4:09 p.m.

DocuSigned by:

 Chair

DocuSigned by:

 Executive Director

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