

Southwest Clean Air Agency

Board of Directors Minutes

March 6, 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 March 6, 2025.

Those present were: Dr. Alan Melnick, Chair, Clark County
Ben Shumaker, Vice-Chair, City of Stevenson
Steve Rader, Director, Cowlitz County
Lee Tischer, Director, Wahkiakum County
Andy Oien, Director, City of Centralia
Ruth Kendall, Director, City of Longview
Danielle Jokela, Director, Member at Large
Sean Swope, Director, Lewis County
Rob Farris, Director, Skamania County

Excused: Kim Harless, Director, City of Vancouver
Robert Stowe, Director, Town of Cathlamet

Also Present: Staff: Uri Papish, Executive Director
Traci Arnold, Office Administrator
Tina Hallock, Administrative Assistant II

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 February 6, 2025 minutes. Ms. Jokela moved and Mr. Shumaker seconded that the minutes for the February 6, 2025 Board meeting be approved. Motion passed.

Consent Agenda

Dr. Melnick asked for approval of the Consent Agenda including voucher numbers 313 through 346 in the amount of \$36,209.02 which have been approved for payment by the Executive Director, December 2024 and January 2024 Financial Statements, December 2024 Salaries and Benefits in the amount of \$188,362.72 and January 2025 Salaries and Benefits in the amount of

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\$193,165.07. Ms. Kendall moved and Mr. Farris seconded that the Consent Agenda be approved. Motion passed.

Changes to Agenda

None

Info Items & Public Comment

Mr. Papish summarized bills currently in the Washington Legislature related to air quality and offered to answer any questions.

Environmental Crimes - SB 5360

Establishes new felony crimes for certain violations of the state Clean Air Act, Water Pollution Control Act, and Hazardous Waste Management Act, and other specified environmental statutes (environmental statutes). Adds new terms regarding criminal intent to commit certain violations. Includes certain first- and second-degree felony violations of environmental statutes and updates the sentencing grid and seriousness level for offenses. It holds people committing crimes on behalf of corporations personally liable, and companies convicted can lose the right to do business in WA. **Passed Senate and it is going to the house.**

Asbestos Building Materials - HB 1857

Exempts certain commercial aggregates that contain asbestos from restrictions pertaining to labeling requirements and the use of asbestos containing building materials. Exempts certain facility owners from asbestos inspection, management, and reporting requirements for commercial aggregates that contain asbestos. The percent asbestos is 0.25 percent and can be naturally occurring. It is below the level SWCAA would regulate. **It passed out of committee and is scheduled for a floor vote in the House.**

Clean Fuels Standard - HB 1409

The bill amends Washington's clean fuels program to establish new standards aimed at reducing carbon intensity in transportation fuels, requiring a 45% reduction in greenhouse gas emissions from 2017 levels by January 1, 2038. It sets specific annual targets for these reductions and allows for adjustments based on the implementation of zero-emission vehicle programs. The Department of Ecology is tasked with monitoring fuel availability and publishing data on credit prices and market trends. Additionally, the bill introduces penalties for non-compliance, including fines up to \$50,000 for various violations, and emphasizes the importance of timely reporting and compliance for regulated parties. Increases the reduction from 20% to 45% between 2017-2038. **Passed the Environment and Energy Committee and the House Appropriations Committee and has moved to the rules committee.**

Environmental Justice – HB 1303

The bill requires the Department of Ecology to add environmental justice as an element within existing environmental regulations and environmental SEPA checklists, mandating that lead agencies consider environmental justice alongside other environmental factors when

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implementing environmental review processes. The bill requires the Department of Ecology to develop mitigation guidance, potentially including best management practices, to address potential adverse environmental impacts on environmental justice communities. Additionally, the bill clarifies that these new requirements are supplemental to existing obligations under chapter 70A.02 RCW and allows agencies to use existing environmental justice assessments to meet the new requirements. Importantly, the bill includes a provision that will render it null and void if specific funding is not allocated in the omnibus appropriations act by June 30, 2025, ensuring its implementation is contingent on dedicated financial support. **Passed the Energy and Environment Committee and Appropriations on 2/28. Referred to the rules committee.**

Wood Burning - SB 5174

Washington wood stove certification and standard program that died in committee.

Dr. Melnick asked how much money SWCAA receives from the State of Washington and the federal grants. Mr. Papish responded SWCAA receives approximately \$150,000 from the state and \$200,000 from federal grants. SWCAA will be budgeting for some funding cuts in the upcoming budget.

Mr. Farris asked if the Environmental Justice (HB 1303) passes would this create a problem with federal funds being distributed. Mr. Papish responded he wasn't sure since this bill is specific to Washington state, and it's unclear right now how far the current administration will reach.

Ms. Jokela asked if SWCAA has any current grants exposed to not being reimbursed based on the actions of the current administration. Mr. Papish said in the current fiscal year there is little exposure to not being reimbursed because SWCAA has already received all the money on most of its grants. Ms. Jokela asked if the cuts to the state and federal grants will affect the decisions on COLA's for the executive director and staff. Mr. Papish said the agency will know more before the April meeting if there are any cuts to the state budget. The federal money is unknown, but for the last twenty years the money has remained consistent. Current rumors suggest a 65% cut to EPA, so if that's true it is unknown how it could impact state and local agencies.

Public Hearing

None

Unfinished Business/New Business

None

Executive Session

None

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Executive Director's Report

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

A. EPA Transmits Three California Mobile Source Waivers to Congress, Potentially Setting Up CRA Vote (February 18, 2025) In a letter from Administrator Lee Zeldin to Congress, EPA has transmitted three approved waivers of preemption from California addressing mobile source emissions. Section 209 of the Clean Air Act provides for California to set standards and take actions on reducing emissions from mobile sources, provided that EPA provides a waiver of preemption. Three approved waivers were named in the EPA's February 18, 2025 transmittal: California's Advanced Clean Trucks (April 6, 2023 (88 Fed. Reg. 20688), Advanced Clean Cars II (ACC II, January 6, 2025, 90 Fed Reg 642) and Heavy Duty Omnibus NOx programs (January 6, 2025, 90 Fed Reg 643). The Agency's announcement said that "Administrator Lee Zeldin announced in the Oval Office, alongside President Donald Trump and the newly created National Energy Dominance Council, that the EPA will be transmitting to Congress the Biden Administration's rules granting waivers that allowed California to preempt federal car and truck standards promulgated by EPA and the U.S. Department of Transportation's National Highway Traffic Safety Administration." Agency actions are not typically transmitted to Congress but are published in the *Federal Register* as a "Notice of Decision", and by transmitting the waivers to Congress as "rules" the Agency arguably opens them to consideration under the Congressional Review Act (CRA), a 2013 law that allows Congress to disapprove regulatory actions and forbids substantially similar future actions.

<https://www.epa.gov/newsreleases/trump-epa-transmit-california-waivers-congress-accordance-statutory-reporting>

and

<https://www.epa.gov/state-and-local-transportation/vehicle-emissions-california-waivers-and-authorizations>

and

<https://www.gao.gov/products/b-334309>

B. EPA Puts EJ Staff on Administrative Leave; Removes EJSCREEN From Website (February 6, 2025) EPA has placed staff working at its Office of Environmental Justice and External Civil Rights (OEJECR) on administrative leave, according to communications with NACAA staff by an affected person on February 6, 2025. News outlets that received official communications from EPA, including a report that "168 staffers were placed on administrative leave as their function did not relate to the agency's statutory duties or grant work. EPA is in the process of evaluating new structure and organization to ensure we are meeting our mission of protecting human health and the environment for all Americans." A January 20, 2025, Executive Order titled "Ending Radical And Wasteful Government DEI Programs And Preferencing" (E.O.

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14151) calls for the Federal Government to “terminate, to the maximum extent allowed by law, all DEI, DEIA, and ‘environmental justice’ offices and positions”. Other efforts are underway in the new Administration to advance the directive in E.O. 14151, for example, EPA’s website discontinued access to its EJSCREEN tool (an online screening and mapping tool that enabled the identification of areas with higher environmental burdens on vulnerable communities) on February 4, 2025.

For further information:

<https://www.politico.com/news/2025/02/06/epa-staffers-administrative-leave-00202973>

and

<https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/>

and

<https://www.epa.gov/ejscreen>

C. EPA Administrator Announces, “Powering the Great American Comeback” Initiative (February 4, 2025)

EPA Administrator Lee Zeldin has announced his initiative to align EPA’s work with President Donald Trump’s agenda. The “Powering the Great American Comeback” Initiative is intended to guide EPA actions and consists of five pillars: 1) Clean Air, Land, and Water for Every American; 2) Restore American Energy Dominance; 3) Permitting Reform, Cooperative Federalism, and Cross-Agency Partnership; 4) Make the United States the Artificial Intelligence Capital of the World; and 5) Protecting and Bringing Back American Auto Jobs.

For further information:

<https://www.epa.gov/newsreleases/epa-administrator-lee-zeldin-announces-epas-powering-great-american-comeback>

D. CASAC, Science Advisory Board, and Their Panels Disbanded In “Reset” (January 28, 2025) EPA has sent an email communicating to the members of the Clean Air Scientific Advisory Committee (CASAC), the Scientific Advisory Board (SAB), and the panels that provide expert analysis for these bodies, that these bodies are disbanded and are being reset to reestablish their membership. CASAC and SAB are committees composed of independent scientific experts who provide advice to the EPA administrator on scientific matters related to environmental regulations, particularly focusing on air quality in the case of CASAC, which makes recommendations about the NAAQS, air toxics, and other Clean Air Act-related scientific decisions. Although these committees had not historically been reset during a presidential transition, both faced a similar action at the beginning of both the first Trump administration and March 6, 2025

the Biden administration. The January 28, 2025 email forwarded to the CASAC, SAB, and other panel members from then-EPA Acting Administrator Jim Payne by EPA staff supporting these bodies says that “EPA is working to update these federal advisory committees to ensure that the agency receives scientific advice consistent with its legal obligations to advance our core mission. A request for nominations to the SAB and CASAC will be announced in the coming weeks, and we encourage all members to reapply. Please thank the current membership for their service.”

For further information:

https://www.4cleanair.org/wp-content/uploads/CASAC-SAB-Reseat-Email-1_28_25.pdf

Board Policy Discussion Issues

None.

Issues for Next Meeting

A. Public Hearing.

1. As Necessary.

B. New Business/Unfinished Business.

1. Staff COLA Decision (April)
2. Executive Director Evaluation (April)
3. SWCAA Budget (May)

C. Meeting Date and Location.

1. April 3, 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 April 3, 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 2024	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	0	+	C	0	+	+	0	C
Skamania County	0	+	+	+	+	+	C	+	+	+	+	C
Wahkiakum County	+	+	+	+	+	+	C	+	+	+	+	C
Cathlamet	+	+	0	+	+	+	C	+	+	+	+	C
Centralia	+	+	+	+	A	+	C	+	+	+	+	C
Longview	+	A	+	+	+	+	C	0	+	+	+	C
Stevenson	0	+	+	+	+	+	C	+	+	+	0	C
Vancouver	0	0	0	+	+	+	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 3:43 p.m.

DocuSigned by:

 Dr. Alan Melnick
 Chair

DocuSigned by:

 Uri Papish
 Executive Director

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