



Friends of Toppenish Creek

June 19, 2022

Board of Directors
Yakima Regional Clean Air Agency
186 Iron Horse Court Suite 101
Yakima, WA 98901

Dear YRCAA Board of Directors:

In 2016 the YRCAA Air Pollution Control Officer/Executive Director (APCO/ED) retired, and the five member board chose a replacement. The final three applicants were: a white man with a bachelor's degree in physical fitness who handed out tickets for burn ban violations for twenty years; a man of color with a doctorate in environmental engineering and twenty five years of regulatory experience at the YRCAA; and another man of color with two master's degrees in air science and years of administrative experience at the WA Dept. of Ecology. A woman of color with years of experience in YRCAA administration was eliminated before the final screening.

The YRCAA Board of Directors chose the white man.

Five years later in August 2021, the entire staff at the YRCAA signed a letter of complaint against the APCO/ED. Among the complaints was an allegation that the man threatened three YRCAA employees about telling the truth in a public record document. There was no investigation. The APCO/ED resigned with legal protections. The search for a replacement began.

Now the YRCAA Board wants the public to trust them to conduct a fair search. The YRCAA Board has:

- declined to augment the search and screening team with a community member from the Lower Yakima Valley where 70% of the population falls into the over-burdened category
- known the names of applicants for the APCO/ED position since at least May of 2022
- known the interview questions for applicants since at least May of 2022
- refused to share interview questions with the public in potential violation of the Public Records Act
- interviewed applicants in executive session so the public cannot observe in possible violation of the Open Public Meetings Act

There is nothing in Washington law or the YRCAA Codes to prevent board members from sharing applicant names & information or interview questions with special interest groups such as dairy. The dairy industry has long benefited from a YRCAA hands off policy. The dairy

industry has a strong economic interest in continuing that policy. An APCO/ED who values air quality over dairy profits could upset the status quo.

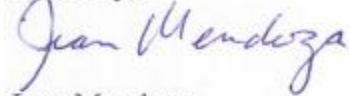
We hope that the agricultural interests including the dairy industry were not given an opportunity to review and comment on these applicants while community interests, like Friends of Toppenish Creek, were excluded. Members of Friends of Toppenish Creek have publicly demonstrated their concern about environmental air quality for years when we had no financial or employment vested interest in the air quality of the Lower Yakima Valley.

The recruitment process for YRCAA APCO/ED found over ten qualified applicants. The list was reduced by Yakima County Human Resources to four highly qualified applicants who were interviewed in executive session by three YRCAA board members on June 9, 2022. Two of these three board members had participated in the 2016 screening and selection. Two of the three have expertise in agriculture, but none of the three have expertise in environmental science.

After the June 9 secret interviews, the screening team voted in open session to advance two of the four applicants. It appears that these two applicants, approved by the YRCAA board member who derives a significant part of his income from the dairy industry, will be presented to the public as a token gesture to public engagement.

Were there qualified applicants with a history of advocating for clean air? We may never know because you all have not conducted the search and screening for a new APCO/ED in the spirit of Washington Sunshine Laws. We hope that the final selection this year will focus on qualifications rather than the way the selection apparently occurred in 2016.

Sincerely,



Jean Mendoza

Executive Director, Friends of Toppenish Creek
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cc. WA Dept of Ecology

WA Dept. of Health

WA Office of the Attorney General

Yakima Herald Republic

WA Environmental Justice Council

Yakima County Commissioners

U.S. Environmental Protection Agency