

MINUTES
LANE REGIONAL AIR PROTECTION AGENCY
BOARD OF DIRECTORS MEETING

THURSDAY JANUARY 10, 2018
1010 MAIN ST, SPRINGFIELD, OR 97477

ATTENDANCE:

Board: Jay Bozievich, Chair- Lane County; Mike Fleck – Vice Chair - Cottage Grove; Kathy Nichols – Oakridge; Bill Carpenter – Springfield; Charlie Hanna–Eugene; Mysti Frost-Eugene; Joe Pishioneri – Springfield; Betty Taylor – Eugene; Jeannine Parisi-Eugene

Others: Maurie Denner - CAC Chair; Jim Daniels – CAC Vice-Chair

Staff: Merlyn Hough–Director; Debby Wineinger; Nasser Mirhosseyni; Colleen Wagstaff, Chris Coulter; Max Hueftle; Jo Niehaus; Katie Eagleson

1. OPENING: Bozievich called the meeting to order at 12:15 p.m.

2. ADJUSTMENTS TO THE AGENDA: None

3. PUBLIC PARTICIPATION:

1. Comments on an Item on Today’s Agenda

2. Comments on a Topic Not Included on Today’s Agenda (Note: This is an opportunity for the public to bring up unscheduled items. The board may not act at this time but, if it deems necessary, place such items on future agendas. Issues brought up under this agenda item are to be limited to three minutes’ speaking time by the person raising the issue. If additional time is necessary, the item may be placed on a future agenda.)

3. Comments from Board Members (Note: This is an opportunity for Board Members to bring up unscheduled items regarding today’s public comments, and/or written/electronic comments they have received. The board may not act now but, if it deems necessary place such items on future agendas.

PUBLIC COMMENT: Mike Cetto – Eugene

Mr. Cetto was referred to LRAPA by Beyond Toxics. He had a complaint regarding Lane Transit District (LTD). They leave their diesel engines running, and in downtown every ½ hour they release a cloud of nasty soot. He said he complained to LRAPA years ago about it and all he got was a lecture from a woman with LRAPA. She said LTD has the best diesel controls available. He wouldn't have complained if the controls were functional. He has had to discontinue his walking near roadways. The LTD drivers have an attitude when he asks them to turn off the engine. He is frustrated by the reduced snowpack, and the allergy blooms in the valley, he thinks the diesel has something to do with it. He thinks diesel should be taken off the market. LTD should have a formalized volunteer program to help the drivers realize the poison they are spewing into the environment and into their patrons. Its hard to not think about conspiracies when dumbering down the air quality.

Taylor said she has been getting a lot of complaints about the air in South Eugene. Not about diesel but woodsmoke. People keep asking her if we are going to phase out woodsmoke, and wood burning stoves. **Hough** said South Eugene is in compliance with standards. We do get a significate number of complaints about woodsmoke in South Eugene. The numbers are recapped in the Director's Report. **Taylor** said a lot of people want to outlaw fireplaces. What is the difference in woodsmoke versus natural gas? **Hough** said fireplaces can be cleaner than an uncertified woodstove. LRAPA doesn't have authority to regulate home heating systems. The Cities or the County within UGB's would need to adopt any new home heating ordinances under their authorities.

Carpenter said his term is expiring. The City of Springfield will be doing new appointments. He has reapplied. **Bozievich** also said the county has not finalized their board assignments.

Frost thanked Mike Cetto for coming in today and voicing his concerns. She wanted to clarify that his main complaint was about LTD's diesel emissions. Mr. Cetto said "John" talked about a zero idle policy. He thinks after the engine has been warmed up, if they are sitting for more than 30 seconds they should shutdown. **Hough** said LRAPA doesn't have any regulatory authority with LTD. We have had conversations with them about electrifying more of the buses. **Hough** suggested that Mr. Cetto talk directly to the LTD Board of Directors. Mr. Cetto said they hide behind their aprons. He has been on their Accessibility Panel, they hide behind the process, he was very unhappy to have to volunteer while they get paid.

Frost asked if there was any follow-up about the idling trains issue she brought up last month. **Hough** said that is addressed case-by-case when complaints come in.

4. ACTION ITEMS:**Consent Calendar:**

- A. Approval of Minutes of December 13, 2018 Board of Directors Meeting
- B. Approval of Expense Reports December 2018

**MOTION: Pishioneri MOVED to approve the Consent Calendar; Fleck
SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS**

5. MULTI-YEAR BUDGET FORECAST:

Mirhosseyni presented the Multi-Year Budget Forecast.

Hough explained the annual LRAPA budget process typically starts in January and ends before July 1, the beginning of the fiscal year. As in years past, the LRAPA budget depends on revenue from several sources affected in any given year by diverse financial pressures. As part of the strategic planning session, it was the consensus of the LRAPA Board that staff prepare and discuss a multi-year budget forecast under multiple revenue scenarios.

We are presenting three scenarios to the Board at the meeting of January 10, 2019, to incorporate the revenue uncertainties (Base-Case, Worst-Case and Best-Case scenarios). The Base Case is a continuation of local funding at the reduced new levels adjusted for inflation and population growth and the targeted 4% increase for the three larger contributors (City of Eugene, City of Springfield, and Lane County), state funding consistent with the Governor's recommended budget, federal funding at the current base grant level, and permit fees at current levels adjusted for inflationary factors for FY2020 in ACDP fees. The Worst Case assumes a potential reduction in local funding, a corresponding reduction in state and federal funding and permit fees at current levels adjusted for inflation. The Best Case assumes a continued partial restoration of historical local and state funding, federal funding at the current base grant, and permit fees for ACDP to increase by 4% during FY2020 and beyond, plus the customary inflationary adjustments.

Parisi asked if they were just making assumptions regarding the revenue for Cleaner Air Oregon. Was it a percentage based on DEQ's information? **Mirhosseyni** said this year they know the amount, but the following years will have to be determined by DEQ reference.

Carpenter asked if the state and federal funding was tied to the local funding. **Mirhosseyni** said the MOE (Maintenance of Effort) needs to be met with the funding.

Parisi asked if the revenue forecast under the worst case includes reductions from federal and state? You are still escalating your staff and over five years can you still maintain over 17 FTE's? She wonders if the "worse" case should have a more "worst-case" scenario.

Mirhosseyni said the difference could be made up using the reserves.

Pishioneri asked how the local dues were matched. **Parisi** said her understanding was that for every dollar that Springfield puts in, the state matches 100% so, 1 dollar. And the federal would then match 2 dollars. **Mirhosseyni** agreed, in concept. **Hough** added if we are making progress on local strategies on the local dues and permit fees it makes a better case for the match increases. **Pishioneri** said it was a goal, something that should happen, but it may not happen. **Hough** said the negative repercussions are there, the positive improvements are not guaranteed.

Nichols asked about the Targeted Airshed Program grant application. If you don't get it, how is that going to impact the money you will have to spend for Oakridge to maintain its PM2.5 levels.

Hough said Oakridge has been identified by the LRAPA Board as a high priority. The code enforcement salary has been about \$30,000.00 per year and LRAPA has been contributing around \$11,000.00 towards that. **Nichols** asked if they don't get the grant, is LRAPA still prepared to assist. **Hough** said yes. **Niehaus** added that it's just one of many grants we have applied for in coordination with Good Company. They have applied for multiple grants and plan to apply for a dozen or more in the next month or so.

Parisi asked about diesel retrofits and VW settlement money. **Hough** said some of the money is targeted for school buses. Oregon has gotten their share of that money. LTD has been a leader for promoting electric buses. **Parisi** was wondering if it should still be on the list. **Hough** said it should be on the list, but it is not one of the highest priorities.

Pishioneri asked about the woodstove replacements. Is it just for free standing woodstoves, or inserts? Does it apply to renters, and is it still available? **Hough** said it is not still available. But, there would be funds through the Targeted Airshed Program Grant for Oakridge.

6. ADVISORY COMMITTEE:

Denner advised that they did not meet in December.

Carpenter said he would like the CAC to review the air toxics monitoring data and compare the results to previous years. **Hough** said the results from the most recent years are included in the Dashboard report. We were scheduled to do air toxics monitoring every third year. Now that the State legislature is providing funding we were able to start during 2018 and currently testing at the Amazon and Highway 99 sites. It will probably be mid-2019 when we have 12 months of samples and mid-2020 before we have a full calendar year of data analysis from the laboratory. Once we have a full year of data from both sites, there may be opportunity for the CAC to review and make recommendations to staff and the board as to which site would become the trend site for this area.

7. DIRECTORS REPORT:

Hough reviewed the 2018 full-year of complaints on page 2 of the report.

Parisi reminded everyone that March and April will be combined Board and Budget meetings. The meetings will be held at EWEB and start at 11 a.m.

Attached in the monthly report to the Board was the revised initial letter sent in response to complaints of excessive smoke and odors from residential woodburning chimneys. **Pishioneri** said he liked the letter.

8. PREVIEW UPCOMING APPOINTMENTS ON BOARD AND COMMITTEES:

Hough said this was a reminder if you still need to appoint someone for the Budget Committee. Robert Houston needs to be confirmed for Springfield (**Carpenter**). Oakridge (**Nichols**) and Eugene (**Frost**) still need to appoint someone. The Board needs to take action on the nominees

during the February 2019 meeting. **Nichols** asked what the commitment was for Budget Members. **Mirhosseyni** said the Budget Committee meets in March and April. And in some rare cases, again in May. The meetings are a few hours each and there is some time required to review the Budget document between meetings.

Hough mentioned that the election of Board Officers will also take place during the February meeting. **Bozievich** commented that the County may be changing their Commissioner representative for the LRAPA Board. Board members had a brief discussion regarding Mike Fleck moving into the LRAPA Chair position and that a Springfield representative should be nominated for the Vice-Chair position.

9. REQUEST APPROVAL FOR PUBLIC HEARING ON LRAPA RULE REVISIONS RELATED TO CLEANER AIR OREGON:

Hueftle said the overall intent of the rulemaking is to add rules that synchronize our existing program rules. Some of the proposed changes to existing rules would amend the LRAPA's part of the Oregon Clean Air Act State Implementation Plan.

Hueftle reviewed item "C" regarding LRAPA's CAO (Cleaner Air Oregon) implementation plan on page 2 of the Agenda Item 9 report.

Parisi wanted to make sure that the "Public Notice" states that the meeting location will be at the EWEB-Meeting Room in the North Building, 500 East 4th Avenue, Eugene Oregon 97401. **Fleck** added that we will need to be careful with time management during the March 14th meeting as the Public Hearing will be between the Budget and Board meeting (12:30 p.m.).

MOTION: Taylor MOVED to approve the Public Hearing request; Pishioneri SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS

10. OLD BUSINESS:

Written Public Comment – November 7, 2018, Margaret Blain

The Board had reviewed the written comments regarding the burn barrel ban. The Board chose not to reconsider the burn barrel ban at this time. Jo Niehaus will respond to Margaret Blain. *(copy of letter attached)*

10. NEW BUSINESS:

Mirhosseyni told the Board that LRAPA will be hiring an Architect for an expansion project for the office. **Pishioneri** asked if this was going to require Board action during the budget process? **Mirhosseyni** said it would not, it is within the budget. **Pishioneri** said it is an expenditure and will need to be approved by the Board and Budget Committee. **Mirhosseyni** said when the plan is finalized it will be presented to the Board.

Hough said he had a conversation with DEQ and was informed that Representative Cedric Hayden had approached a DEQ staff person, why is LRAPA here? **Hough** sent a copy of the document with LRAPA background information that was prepared for the Lane County Commissioners work session with the LRAPA IGA partner cities back in 2012 to DEQ. If any of the Board members also wanted to contact the Representative to offer other insights, that would be welcomed.

The meeting adjourned at 1:55 p.m.

Respectfully submitted,

Debby Wineinger



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February 6, 2019

Margaret Blaine
33617 Meyer Rd.
Cottage Grove, OR 97424

Dear Ms Blaine:

Thank you for your letter to the LRAPA Board of Directors regarding the burn barrel ban regulation. The Board received your letter and discussed your request at the January 10, 2019 LRAPA Board meeting. After their discussion, the Board chose not to reconsider the burn barrel ban at this time.

Again, we want to thank you for your interest in this matter and taking the time to reach out to the Board. If you have any further questions or comments, please let us know.

Sincerely,

Jo Niehaus
Public Affairs Manager