

MINUTES
LANE REGIONAL AIR PROTECTION AGENCY
BOARD OF DIRECTORS MEETING

THURSDAY MAY 9, 2019
1010 MAIN ST, SPRINGFIELD, OR 97477

ATTENDANCE:

Board: Mike Fleck - Chair - Cottage Grove; Mysti Frost - Eugene; Betty Taylor – Eugene; Joe Berney – Lane County; Jeannine Parisi – Eugene

Conference Call: Joe Pishioneri – Vice Chair - Springfield

Absent: Kathy Nichols - Oakridge; Charlie Hanna - Eugene; Victoria Doyle – Springfield

Staff: Merlyn Hough–Director; Debby Wineinger; Nasser Mirshosseyeni; Max Hueftle; Jo Niehaus

Others: Jim Daniels – CAC Chair; Paul Ruscher – CAC Member; Kathy Lamberg – CAC Member; Ruth Duemler – Budget Member; Justin Overdevest - Good Company

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

1. Call to Order

2. ADJUSTMENTS TO THE AGENDA: None

3. PUBLIC PARTICIPATION:

A. Comments on an Item on Today’s Agenda

B. 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.)

C. 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.

Taylor said people keep asking her about automobile emissions and she is interested in knowing if anything is going to be done? **Hough** said we testified on House Bill 2007 regarding diesel programs which would direct the Environmental Quality Commission to implement certain diesel related programs. Also, we have been supporting the tighter standards for light duty vehicles that use gasoline and diesel. At the national level the EPA has proposed to push back requirements on light duty gasoline and diesel vehicles and they are considering taking away California's ability to adopt their own emissions standards. We have supported California keeping the existing standards and the waiver California received under the Clean Air Act to have the ability to do more restrictive things. There are a group of states that are also with California, they are called the "177 states" because it's section 177 of the Federal Clean Air Act. It allows states to opt into California programs and Oregon is one of those states.

Parisi said she read an article regarding a study on farmland in France. They were doing some air quality testing and were able to pick up on the monitors micro plastics that were inhalable. We all know there is plastic in the ocean and it has become a huge concern. They think they traced it to when things go through the wastewater treatment process. It is turned into sludge and that is turned into fertilizer, which is spread across farm fields. When they plow the fields, the fertilizer becomes airborne. We are flushing plastics (eye contacts and other things) down our toilets and it is now showing up in our airsheds. She brings it up because there are many different ways that plastic is really challenging for the environment. We are not able to recycle a lot of plastics in the community anymore. We have never been able to recycle clamshell containers. Decisions are made every day in terms as to what we provide for our lunches. She thinks we need to set a tone. It has always bothered her, and she thinks we could do better. She said there is a dishwasher here and there is no reason we should be eating with plastic forks or using plastic containers.

Berney asked when there might be a conclusion for the California/EPA issue to push back vehicle emissions. **Hough** said he expects when EPA finalizes their decision it will be challenged in the courts and it could take a long time. But, decisions need to be made now so vehicle manufacturers know what to do for Model Year 2022. **Frost** commented that she thought California had been successful so far. **Hough** said he thought that was true. California has been successful through many administrations maintaining their special waiver.

Frost told the group there was a public hearing Monday, 6 p.m. at LCC downtown. It is regarding the JH Baxter and DEQ clean-up project. She said JH Baxter was famous for its toxic air and they will be discussing cleaning up the toxic water plume that has contaminated peoples wells and soil in the area. She expects to hear a lot about air quality in people's testimonies on Monday. **Parisi** asked if there will be a representative from LRAPA present. **Hough** said DEQ had been in contact with LRAPA regarding this and at this point he didn't know if someone from LRAPA would be there.

Hueftle said he was in contact with the DEQ clean-up person and she is coordinating with other environmental media (water, air, hazardous waste, and public health). He directed her to some fact sheets for Cleaner Air Oregon and air quality. She will have that material, but she didn't think LRAPA needed to have anyone there.

Fleck wanted to remind everyone that individual Board Members cannot represent the body of the Board. **Frost** said she will share what she learns at the next Board meeting.

4. ACTION ITEMS:

Consent Calendar:

- A. Approval of Minutes of April 11, 2019 Board of Directors & Budget Meeting
- B. Approval of Expense Reports April 2019

Parisi noted a correction on Board of Director meeting minutes, page 3, paragraph 3:

Parisi asked about the status of air toxics testing. **Hough** said resources were provided by the **legislator** Legislature.

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

5. PUBLIC HEARING FOR ADOPTION OF THE PROPOSED FY 2019/2020 BUDGET:

Mirhosseyani submitted the affidavit for publication.

Parisi said if there is an accrual of reserves, we should have some conversations about how the funds will be spent. Did this group want to have a policy or priority statement if there is accumulation over time? Also, for the record, this was a comment during the Budget meeting. **Pishioneri** said when we get there, it should be looked at during that time. What the priorities are today may not be the same tomorrow. We shouldn't get locked into a policy. **Berney** agreed, circumstances might be different. **Fleck** thought maybe you should set the threshold of that for discussion now. And once we reach that threshold we can have the discussion on what to do with it. **Taylor** said it should be a discussion at that time and she agreed with both Pishioneri and Berney. **Parisi** said what she and her colleagues at EWEB noticed was you go through an annual process regarding the best use of reserves. With the EWEB Board there is an opportunity to have conversations around that. She didn't expect there would be a plush reserve account and we may not even need to have the conversation. She brought it up because someone else on the Budget Committee raised the question and she wanted to bring it up as a Board conversation. We don't have to touch it, but she wanted to reiterate the comments were from someone who is a Senior Finance person in her organization and knows more about it than she does.

Fleck opened the public hearing at 12:30 p.m. There was no one present to give testimony. The public hearing was closed at 12:31 p.m.

**MOTION: Taylor MOVED to adopt the FY 2020 Budget (Resolution 19-01-A);
Pishioneri SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS**

6. AUTHORIZATION FOR PURPLEAIR GRANT:

Paul Ruscher, CAC Member said he strongly supports the PurpleAir program. It is a tremendous outreach effort for LRAPA and all interested parties in the K-12 system and beyond.

Hough explained that it is a \$15,000 grant LRAPA applied for and received. It is through DEQ, authorized by the Legislature. The units will go out to schools for science projects and also used to see if outdoor activities may need to be postponed due to poor air quality.

Berney thought this was great. There is a sense of urgency related to climate change and anything like this is good for teaching young people about air quality and the connection with climate. There are lost opportunities if we don't use things like this to impact the broader curriculum in students' lives.

Fleck asked if the match will be incorporated with the current adopted budget. **Mirhosseyani** said that was correct. **Fleck** said he really wants to see where the money is coming from, not just transferred from contingencies. It would be more transparent and show how things are funded. **Mirhosseyani** said it depends on the design of the form. The resolution provides the source of the revenue and the authorization is to show how it is spent. The difference would be if you are moving from one category to another. You have to show which is being reduced and increased. **Fleck** said it is not required to show where the money is coming from, but for it to be a transparent process, it should show a line item. **Parisi** said you could still use this form and have both a revenue and expenditure column. **Fleck** said it is in the description of the resolution where the money is coming from, but he would like to see the change in contingency. **Mirhosseyani** said he could provide a line item that read "revenue source".

MOTION: Pishioneri MOVED to adopt the PurpleAir (Resolution 19-02-A); Frost SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS

7. ADVISORY COMMITTEE:

Jim Daniels introduced himself as the new CAC Chair. He has been on the CAC since 2011 representing industry, and he has been managing his company's LRAPA permits for the past 26 years.

Daniels said during the April meeting they primarily discussed the Dashboard report. The Board had suggestions on things they would like to see in the report. The group focused on graphs for complaints and enforcement. To recap, they thought the complaint graphs were good for showing trends. With the enforcement actions, they like the bar graph for trends. There were some comments that you have to be careful when looking at complaints as a measure of effectiveness. It might be good with open burning complaints to separate prohibited materials from vegetative matter. During the meeting, John Morrissey said he would walk them through the enforcement process. We may ask him to do this during the next meeting.

Parisi said when she brought this up during the last Dashboard report she wasn't asking so much about complaints. She thought Mysti Frost was asking more about complaints from different geographic regions. What she thought for the Dashboard was that new and open enforcement actions are hard to track month to month because they take a while. She wanted to clarify for staff that it wasn't meant as a criticism that these take a long time to resolve. As a Board member, it is hard to track how long they have been ongoing and what the settlements are. A lot of them are negotiated, but once in a while, it is challenged, and they come before the Board. Is there a simple way on a quarterly basis to show the number that are open and the length of time they have been open? And also, what was the resolution? She didn't think it through as much as the CAC had. If that doesn't lend itself to a nice bar graph, she understands.

Daniels said there were discussions regarding the difficulty of representing the information. And we really didn't come up with any good solutions.

Parisi said maybe we just want to track the ones that drag on for more than a year. It could be more challenging than she anticipated.

Taylor said it is part of the Directors report. **Parisi** agreed, but she would like to be able to see a "snapshot" of the status or resolution.

Fleck said he likes to see the number of complaints, but the problem is you can't verify if the complaint is legitimate or not. He thinks the enforcement actions are a better gauge for what is going on.

8. STATUS REPORT ON OAKRIDGE WOODSMOKE MITIGATION PROJECT:

Justin Overdevest from Good Company presented the quarterly report.

The year long project is about to wrap up with the City of Oakridge.

Parisi said this was really impressive work and a great example of community building and partnership. If you are wrapping up your work, who will take on the grant management? Justin Overdevest said there are some small funding resources that could be directed to Good Company. Or Southern Willamette Forest Collaborative might be taking on that role as well. Having someone to help facilitate projects is essential.

Fleck said there would also be grant reporting which would happen after Good Company's tenure. Justin Overdevest said if it's a grant related to Southern Willamette Forest Collaborative, they would be managing it, or it would be the City of Oakridge. There is some funding allocated to help out with Project Management.

Parisi said this was such a good news story and hopes we are looking at opportunities to get it out to the media. Justin Overdevest said so far just local stories, the Dead Mountain Echo and Community Firewood Program Facebook page. Maybe there will be contact with the Register Guard.

Berney asked about the Education Tool Kit material and could the Board see it. Justin Overdevest said he would forward a copy to the Board.

9. DIRECTORS REPORT:

Parisi asked about the Wednesday, May 8th presentation with the Lane Preparedness Coalition regarding wildfire season. **Hough** said Jo Niehaus gave a great presentation and talked about recent wildfire events of 2017/2018. Link Smith, a CAC member and Department of Forestry Manager, also gave a great presentation. Smith spoke about the history of ODF and firefighting and as it turns out, today begins a week long ban on outdoor burning that went into effect due to fire hazard conditions. We can include the presentations in May's Director's Report.

Taylor said she has been trying to get the Eugene City Council to ban fireworks and that the Fire Chief that agreed with her has retired. Also, she was in Bandon and learned that there is now a \$750 per day fine if they have Gorse on their property. **Hough** said some of the biggest

historical fires on the coast have involved Gorse. It's a vegetation that can become very flammable.

Berney said he finds the information in the Director's Report very informative. Also, the recommendation from the County staff was to not pay the full amount of dues to LRAPA and he is going to do his best to get the County on a schedule that gets them back to parity with LRAPA. **Hough** thanked Berney for the kind comments and said it takes a lot of staff's efforts to put the report together.

Hough said he will check with DEQ on the status of House Bill 2020 (Cap and Trade), the Diesel bill, and the Wood heating funding that Justin Overdevest outlined in his report. The goal is to give an update at the July 2019 Board meeting.

Hough mentioned the Flakeboard enforcement action came to a quick agreement and they had conversations about a Supplemental Environmental Project (SEP). The company is going to participate in that and that caused a delay. But it is a positive. They are choosing which SEP project they would like to undertake. **Parisi** asked about the Seneca Sustainable enforcement action. Was it resolved? It is no longer on the report. **Hough** said it was resolved and that was reflected in the March 2019 Director's report.

10. OLD BUSINESS: None

11. NEW BUSINESS: None

The meeting adjourned at 1:25 p.m.

Respectfully submitted,

Debby Wineinger