

MINUTES
LANE REGIONAL AIR PROTECTION AGENCY
BOARD OF DIRECTORS MEETING

THURSDAY JULY 11, 2019
1010 MAIN ST, SPRINGFIELD, OR 97477

ATTENDANCE:

Board: Mike Fleck - Chair - Cottage Grove; Mysti Frost - Eugene; Betty Taylor – Eugene; Jeannine Parisi – Eugene; Kathy Nichols – Oakridge; Charlie Hanna - Eugene

Absent: Joe Pishioneri – Vice Chair – Springfield; Joe Berney – Lane County

Staff: Merlyn Hough–Director; Debby Wineinger; Nasser Mirshosseyni; Max Hueftle; Colleen Wagstaff

Others: Jim Daniels – CAC Chair

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: None**

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.

4. ACTION ITEMS:

Consent Calendar:

- A. Approval of Minutes of June 13, 2019 Board of Directors Meeting
- B. Approval of Expense Reports **Postponed due to Fiscal Year Closing**

MOTION: Taylor MOVED to approve the Minutes; Nichols SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS

5. LEGISLATIVE DEBRIEF ON ENVIRONMENTAL BILLS (OREGON DEQ-Matt Davis via conference call):

- **DEQ Budget**

Matt Davis said it was a successful budget year. The Air Quality Division requested very little General Fund monies, but they did receive \$500,000 this next biennium to use in local communities for wintertime home wood heating smoke programs. They are still working on how the money will be distributed across the state. There was a grant program and money was awarded to the successful applicants. There were different categories of funds, some larger than others. The rest of DEQ's budget was around permitting fees. ACDP fees will be increasing and also the Cleaner Air Oregon fees were officially ratified by the legislature. **Hough** said LRAPA did benefit from the previous \$500,000 from the 2017 Legislature. Oakridge applied for one of the large grants for up to \$75,000 and that very helpful for the Oakridge HWH program. Also, LRAPA applied for one of the small grants, \$15,000, for the PurpleAir sensors for schools throughout Lane County.

[On another source of funds, LRAPA has been working with Good Company on the TAG (Targeted Airshed Grant) and we are increasingly optimistic that EPA will award TAG grant monies.]

Matt Davis also said DEQ received a reduction in General Fund money, which was disappointing given the revenue forecast. It was about a \$400,000 cut, but the reduction won't impact LRAPA's share from DEQ.

Frost asked why \$400,000 was cut from the General Fund. Matt Davis said State Agencies are required by law to propose 5% and 10% budget cuts each legislative session. The Legislature can act on the cuts or make their own. So, this was on our designated 5% and 10% reduction list and the money can be assigned to other priorities.

- **CAFO – Confined Animal Feeding Operations**

This bill failed. It got a lot of attention, it was to mandate DEQ to begin regulating emissions from Confined Animal Feeding Operations (CAFOs), in particular, large dairy CAFOs.

- **Modifications to DEQ’s vehicle inspection program in Portland and Medford**

This bill failed. It was to privatize or wind down the programs.

- **House Bill 2020**

This bill failed. This bill proposed a statewide cap on greenhouse gas emissions. It would directly regulate entities and other third parties which annually buy and sell greenhouse gas allowances. They would have to turn in an allowance for every ton of emissions. And it was complicated how they would disburse the allowances and what would they do with the revenues from the auctions of the allowances. It was a pretty complex network of committees, criteria, and accounting of how options would flow through before coming back to the legislature for final decisions. Proponents of the bill would talk about the options to ease the transition for a lower carbon future helping communities that are most affected by climate change. It was never brought for a vote with the Senate.

Frost said there were a lot of comments regarding this bill. People said it would destroy their small businesses. It would affect fuel prices for big trucks, and they wouldn’t be able to afford the fuel any longer. Matt Davis said DEQ doesn’t take positions on bills, but he thinks the concern was that by constraining emissions you are putting a price on them. There are a few areas where increased costs would show up quickly. One is on transportation fuel, and that was covered extensively in the media, and he would say that topic got the most discussion time in the Legislature. **Fleck** said some of the comments he heard were that older vehicles would not be as clean, and they would have to replace their vehicles because of that. He asked if there were provisions if you had an older diesel truck, or if your emissions would come into play even if you’re a small business. Matt Davis said there was not. Folks in the trucking industry, agriculture and other national resources organized and spent a lot of time at the Capitol. There were two bills that they had concerns with, one being “Cap and Trade” and the other was House Bill 2007 which is about diesel emissions. House Bill 2020 did not mandate any vehicle replacement; the impact is really fuel cost.

Parisi said Forestry and Agriculture were not part of the sectors that would be regulated, because of fuel costs. Parisi didn’t think California’s carbon tax has the same exclusions for Forestry and Agriculture. The idea of trying to mimic, or piggyback on California law creates a whole regional system that has elevated benefits for the market based trading of emissions. The bill had positive and good components to it. EWEB advocated for the bill and were probably the only Utility in support. EWEB thought you would actually see a reduction in energy costs. because it makes hydropower costs more competitive against natural gas. The existing policy framework is not an advantage for consumers.

Hough said that in March when he did a writeup for the Springfield Chamber of Commerce, a 16 cent per gallon increase for fuel costs was mentioned. He has since seen different numbers. Matt Davis said it didn’t vary substantially from the 15 to 20 cent range, and that was towards the beginning of the program. The projections show costs increasing later in the program. But hopefully to meet the goals, transportation will continue to promote electric vehicles.

Frost asked if there were funds set aside to help transitions from big diesel trucks. Matt Davis said something unique to Oregon is constitutional provisions, taxes related to fuel are required to

be spent within the highway right of way. There are very contentious questions about auction proceeds from the bill, would it be considered a tax and subject to the constitutional provision? And if it is, those funds have to be used on infrastructure projects. That means it could not be used on supporting businesses upgrades. And transportation contributes to the majority of Oregon's greenhouse gas emissions, and as a result would result in the majority of auction proceeds. In California they invest millions of dollars each year from their Cap and Trade program into grants for businesses, municipalities, and even consumers to buy cleaner vehicles. The question for Oregon is how we could do that given constitutional restrictions. In the bill the Legislature projected no matter what they decided they would probably be sued.

- **House Bill 2007**

This did pass on the last day of session. Another topic the legislation has been wrestling with for over ten years is emissions from medium and heavy-duty trucks. With the target date of 2029, the bill will stop the purchase in Multnomah, Clackamas and Washington counties of engines older than 2010 for medium-duty trucks and engines older than 2007 for heavy-duty trucks, both private and publicly owned trucks. There were a number of exception categories including logging, military trucks, and emergency vehicles.

For state-funded construction projects in Multnomah, Clackamas and Washington counties costing \$20 million or more, at least 80% of the vehicles and equipment need to be clean (with truck engines that are 2010 or newer, and off-road engines that meet Tier 4, the highest standards).

The third part of the bill will authorize DEQ to distribute the remaining VW settlement funds via grants. Preference will be given to support clean-up of trucks that are subject to phase-out and trucks and equipment used on big state contracts, as well as small business owners whose projects are switching to cleaner fuels.

Nichols asked if this was only for the Tri-County area. **Matt Davis** said that was correct, earlier versions were for statewide, but it was scoped back for just the Portland metropolitan area.

Matt Davis explained there was another bill that was passed, affecting rail companies and others that transport fire hazard materials need to prepare contingency plans for different types of emergencies.

Matt Davis mention that Oregon has an electric vehicle rebate program. There were some fixes to the program, one is low-income residents may qualify for a bonus rebate.

6. ADVISORY COMMITTEE:

Daniels said for the June meeting the group took a field trip to the monitoring site at Amazon park. For the July meeting Jo Niehaus will give her smoke from wildfire presentation.

Frost asked what they found to be the most interesting part of the monitoring station. **Daniels** said seeing the equipment and learning what it can do. Lance Giles is very knowledgeable and really good at explaining how it operates.

7. DIRECTORS REPORT:

Hough reviewed the report and highlighted some of the items he thought would be of interest.

Hanna asked if we should see the number of outdoor burning complaints go down with the new Title 47 rules that took effect last fall. **Fleck** said it was just the UGB of Eugene so it would be a small percentage.

Hanna also asked about the mapping program information he forwarded to LRAPA. **Hough** said they have asked LCOG to look into it and see if it is something that could be interfaced with LRAPA's complaint program. **Fleck** thought there was too much emphasis on complaints, rather than violations. He is curious about the complaint numbers and likes the information. But he didn't think we should spend a lot of time on complaints versus the violations.

Parisi said she wanted to see more information on enforcement actions from when they start and when they are closed. Some get to resolution quickly and others take a long time. She would like to see those trends on the Dashboard report and understands it could be complicated. Maybe try some things that work for the LRAPA Board in terms of metrics, resolution and how long it took. How many fines are reduced, how many go to hearing, length of time and outcome, etc. **Hough** said they have tried, and nothing so far will lend to the satisfaction that the Board is looking for and it would require a great deal of staff's time.

Parisi asked if there should be a place holder on the upcoming agenda items for Air Toxics reporting. **Hough** said when we hear back from DEQ on the analysis results we can determine when to add to upcoming agenda items on this topic.

8. OUTLINE MOTOR VEHICLE REPLACEMENT PLAN:

Mirhosseyeni reviewed the plan with the Board.

Nichols asked if this policy would drive the budget and if it's policy, you are saying we can do this. **Hough** said it's more a thoughtful method for assessing replacement needs and to have some criteria set, as Councilor Pishioneri and others had recommended. **Nichols** said she hoped we maintained being lean, because this is a service organization and we are not changing out vehicles because this chart says we need to. The community might say this is an expensive policy. **Fleck** agreed that the chart reflects low mileage replacement. **Hough** said this was a benchmark based on State Motor Pool guidelines/policy. We have a 2001 Prius and a few years ago we replaced the battery and repainted. The cost was a few thousand dollars which was a lot less expensive than replacing the vehicle. This is our mentality when we assess the needs. **Nichols** said it sounded like you're just setting a policy, knowing you will assess accordingly and not go strictly by these guidelines. **Hough** said we do evaluate the needs differently. For our Field Compliance staff, they need reliable vehicles for different terrains and driving significant number of miles a day.

Hanna asked if leasing vehicles was an option. **Hough** said we did lease an EV Fiat in 2014 and we saved enough with the fuel to offset the cost of leasing.

Hanna asked how we were to move forward with this policy. **Fleck** said he thought it to be more of a continued conversation during the budget process.

9. OLD BUSINESS: None

10. NEW BUSINESS: None

The meeting adjourned at 1:50 p.m.

Respectfully submitted,

Debby Wineinger