

# A G E N D A



**LRAPA**  
Lane Regional Air Protection Agency

LANE REGIONAL AIR PROTECTION AGENCY  
MONTHLY BOARD OF DIRECTORS MEETING  
THURSDAY MAY 12, 2022  
12:15 P.M.

Note Location → VIA ZOOM

**By Video:** <https://us02web.zoom.us/j/82551664224>

**By Audio:** +1 253 215 8782

**Meeting ID:** 825 5166 4224

*(Note: Start times for agenda items are approximate.)*

1. (12:15 p.m.) CALL TO ORDER
2. (12:15 p.m.) ADJUSTMENTS TO AGENDA
3. (12:20 p.m.) PUBLIC PARTICIPATION (time limited to three minutes per speaker) [VIEW MATERIAL](#)
  - 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 at this time but, if it deems necessary place such items on future agendas.)

## **ACTION ITEMS:**

4. (12:25 p.m.) Consent Calendar
  - A. Approval of Minutes of April 14, 2022 Board of Directors Meeting [VIEW MATERIAL](#)
  - B. Approval of Minutes of April 14, 2022 Budget Committee Meeting [VIEW MATERIAL](#)
  - C. Approval of Expense Report April 2022 [VIEW MATERIAL](#)
5. (12:30 p.m.) Public Hearing for Adoption of the Proposed FY 2023 Budget [VIEW MATERIAL](#)
6. (12:40 p.m.) PERS Agreement [VIEW MATERIAL](#)

## **REPORTS:**

7. (12:50 p.m.) Dashboard Report [VIEW MATERIAL](#)

8. (1:00 p.m.) Advisory Committee [VIEW MATERIAL](#)
9. (1:05 p.m.) Director's Report of Agency Activities in the Month of April 2022 [VIEW MATERIAL](#)

**DISCUSSION:**

10. (1:15 p.m.) Old Business  
*Follow-up on Questions From April Board Meeting*
11. (1:25 p.m.) New Business
12. (1:30 p.m.) Adjournment

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# MINUTES LANE REGIONAL AIR PROTECTION AGENCY BOARD MEETING

May 12, 2022

## VIA - ZOOM

### ATTENDANCE:

**Board:** Joe Pishioneri, Chair; Jeannine Parisi, Vice Chair; Joe Berney, Terry Fitzpatrick, Mike Fleck, Matt Keating, Howard Saxion.

**Absent:** Chrissy Hollett, Jenna Knee.

**Others:** Jim Daniels, CAC Chair, Kristina Kraaz (Springfield Legal Counsel), Jeff Kirchner and Peter Nielsen from PERS, Lydia Dysart-LCOG minutes recorder.

**Staff:** Trinidad Cardenas, Steve Dietrich, Katie Eagleson, Beth Erickson, Lance Giles, Max, Hueftle, Cassandra Jackson, Travis Knudsen, Julie Lindsey, Colleen Wagstaff, Debby Wineinger.

### 1. Call to Order

**Chair Joe Pishioneri** called the meeting of the Lane Regional Air Protection Agency (LRAPA) to order at 12:17 p.m. **Travis Knudsen** took roll for the Board and other attendees. A quorum was present.

### 2. Adjustments to Agenda

There were no adjustments made to the agenda.

### 3. Public Participation

#### A. Comments on an Item on Today's Agenda

**James Hugo**, a Springfield citizen, was concerned that he was the only member of the public present. He mentioned that the time the meeting was held was inconvenient and would gather more attendees if it was held in the evening. **James Hugo** thought it would be helpful to have more members on the community board and he was interested in joining. He would appreciate changes being made to the process, so it better represent the Lane County community.

[Written public comment received from Lisa Arkin and Arjorie Arberrv-Baribeault, Beyond Toxics forwarded to the Board and CAC – attached here.](#)

**ACTION ITEMS:**

**4. Consent Calendar**

- A. Approval of Minutes of April 14, 2022 Board of Directors Meeting
- B. Approval of Minutes of April 14, 2022 Budget Committee Meeting
- C. Approval of Expense Report April 2022

**MOTION: Matt Keating** moved, seconded by **Howard Saxion**, to approve the consent calendar as presented.

**Vice Chair Jeannine Parisi** had an edit for the April 14, 2022, Budget Committee meeting minutes. **Joe Pishioneri** stated that they would vote to first approve items A and C. Afterwards they would make changes to item B and approve it separately.

**MOTION: Matt Keating** moved, seconded by **Howard Saxion**, to approve consent calendar items A and C as presented. The motion passed unanimously – 7:0.

**Jeannine Parisi** noted that at the top of page 3 of the Budget Committee minutes it read, “Jeannine expressed the need to clarify the status of Title V funding which had been running on reserves and questioned the benefit of the record.” She clarified that she had meant to say, “for the benefit of the record”.

**MOTION: Jeannine Parisi** moved, seconded by **Matt Keating**, to approve consent calendar item B as amended. The motion passed unanimously – 7:0.

**5. Public Hearing for Adoption of the Proposed FY 2023 Budget**

**Joe Pishioneri** asked staff to present a brief overview of the proposed FY 2023 budget before the hearing was opened. **Steve Dietrich** told the Committee that on April 14, 2022, the LRAPA Budget Committee had approved the proposed FY 2023 budget of \$8,771,483.

**Joe Pishioneri** opened the public hearing at 12:27 p.m.

**Travis Knudson** shared the legal notice that advertised the public hearing in the Register Guard on May 5, 2022.

**James Hugo** wondered why LRAPA did not have funding to pay for more air monitoring systems to be placed in hot spots in the County. They would give more information on what people in the area were breathing in and how the environment was being impacted.

**Joe Pishioneri** closed the public hearing at 12:29 p.m.

**MOTION: Mike Fleck** moved, seconded by **Jeannine Parisi**, to adopt resolution 22-04-A as presented.

**Joe Berney** thought they should answer James Hugo’s question before moving forward. **Steve Dietrich** stated that the budget covered a lot of expenses, including the current monitoring they

did, and was adequate for the population size. He added that there was more monitoring being done than at just the eight stations they had set up. They had a few Purple Air monitors around the area. **Steve Dietrich** was unsure of the total number.

**VOTE:** The motion passed unanimously – 7:0.

## **6. PERS Agreement**

**Julie Lindsey** shared that they had worked with Public Employees Retirement System (PERS) on an agreement which would be shared in the staff report. They had already gone over most of the details at the November, December, and January LRAPA meetings. Since then, they had received the final count of employees that were interested in moving into PERS. There were 14 people interested, which was more than the majority. There was one retirement coming up. **Julie Lindsey** had put in for a new hire to be onboarded around July 1, 2022. She had PERS run through the simulation of the costs again. Costs were slightly less than what had been presented previously. A resolution had been provided to the Board. The resolution stated that the Board agreed and gave authorization for the **Joe Pishioneri** to sign the agreement with PERS.

**Julie Lindsey** wanted to go through a few points of the agreement and answer any questions.

The first WHEREAS on the agreement was where they had originally put the resolution. The Agency did not intend to provide the “unused sick leave benefit” available or participate in the State and Local Government Rate pool. The Agency did intend to continue to submit the 6% contribution for the Individual Account Program using the member-paid pre-tax (MPPT) method.

Under THEREFORE **Julie Lindsey** pointed out that all employees hired by the Agency on or after July 1, 2022, would join PERS. Also, she provided a list of the current positions set to join PERS on the transition date.

**Julie Lindsey** reminded the Board that the start date was set as April 1, 2022.

Point 5a under THEREFORE the document talked about the initial employer contribution rate being set at 9.77% of employee salary. **Julie Lindsey** had heard a few different rates and they would continue to watch for changes. Point 6 went into detail about the Individual Account Program (IAP). Point 8 clarified sick leave. It stated that PERS would not recognize unused sick leave. Since LRAPA operated on a paid time off (PTO) basis this meant they did not have individual sick leave balances. She said the change would make the system easier for LRAPA.

**Howard Saxion** mentioned that the agreement was not included in the packet he had. **Julie Lindsey** replied that the link to the agreement was shared earlier in the week. **Joe Pishioneri** interjected that it was linked in his agenda.

**Howard Saxion** asked how the stock market going down could affect PERS. **Peter Nielsen** responded that the rate changed every odd numbered year on July 1. New rates would go into effect on July 1, 2023. The rates changed when actuarial valuations were completed. The 2021 valuation had recently been published. He said that they did not have rates for LRAPA since they were not yet a participant.

**Mike Fleck** inquired into if point 6 meant that they would be reducing employee salaries based on the 6%. LRAPA would not be responsible for the contributions. **Peter Nielsen** stated that was correct. **Julie Lindsey** added that that was how the Agency currently operated as well.

**Mike Fleck** asked if the employees who did not want to join PERS would be forced to if the agreement was signed. **Peter Nielsen** believed that was correct. He mentioned that all employees on the list that was shared, and all employees hired after July 1, 2022, would be signed up for PERS.

**Mike Fleck** assumed that the number showed in the expected amount would decrease because point 4 stated that the legislature could pull funds from the account. He assumed that if the legislature could pull funds, they would. **Mike Fleck** stated he would be voting no.

**Joe Berney** noted that there was 40% more dollars circulating in the economy than there was three years ago. They were in very uncertain economic times. He asked why they should not be concerned with the unfunded actuarial liability. **Peter Nielsen** could not tell them to not be concerned. He believed that the PERS system, as amended by the legislature, was sustainable.

MOTION: **Howard Saxion** moved, seconded by **Matt Keating**, to approve resolution 22-03-A, allowing LRAPA to participate in the program as a PERS-covered employer

**Jeannine Parisi** inquired into where the additional \$22,458 was coming from. **Julie Lindsey** responded that there was a vacant position in the Administrative Finance Department. Since they were getting a new finance system, she thought that it would be a sustainable reduction in full-time equivalent (FTE).

**Jeannine Parisi** asked why they were retroactively converting to PERS on April 1, 2022, instead of May 12, 2022. **Julie Lindsey** told her that they decided on April 1, 2022, at their discussion in January 2022. If the two retirement programs were balanced there would be no issue. Any first of the month would work.

VOTE: The motion passed – 5:2. **Mike Fleck** and **Terry Fitzpatrick** voted against the motion.

## REPORTS:

### 7. Dashboard Report

**Steve Dietrich** said that this report was given every six months. They would first look at the National Ambient Air Quality Standard (NAAQS) goals. The first goal was to review revised national ambient air quality standards for ozone; assess the status of airsheds in Lane County, and identify next steps as needed. They were in the green status zone for that goal. **Steve Dietrich** stated that the current ozone levels at both Saginaw and Amazon Park were well below 70 parts per billion (ppb) of the Environment Protection Agency (EPA) ozone standard.

The second goal was to maintain compliance with the annual particulate matter (PM) 2.5 air quality health standard in Eugene/Springfield, Cottage Grove, and Oakridge. They were in the green status zone for that goal. **Steve Dietrich** shared that the annual levels remained below the standard for Eugene, Springfield, Cottage Grove, and Oakridge. The EPA was reconsidering the

PM 2.5 NAAQS, primarily the annual standard. The current standard was an annual average of 12.0 ug/m<sup>3</sup>. The anticipated standards may place Oakridge in violation of NAAQS.

The third goal was to maintain compliance with the 24-hour PM 2.5 and PM 10 air quality health standard in Eugene/Springfield, Cottage Grove, and Oakridge. They were in the green status zone for that goal. **Steve Dietrich** said that the levels continued to be below the standard in those cities. However, smoke from the August 2021 wildfires caused Oakridge to go beyond the 24-hour PM 2.5 standards. A notice of proposed rulemaking (NPRM) for the Oakridge PM 2.5 and PM 10 redesignation & maintenance Plans was signed by the Region 10 Administrator on April 25, 2022. He noted that there was a recommendation to tighten PM 10 standards.

The fourth goal was to complete the work on the State Implementation Plan (SIP) Maintenance Plan for combined Oakridge PM 2.5 improvement and maintenance and complete an application for Target Airshed Grant (TAG). They were in the green status zone for that goal. **Steve Dietrich** added that the TAG to LRAPA was announced by EPA on September 30, 2019. The TAG amounted to \$2.37 million and was awarded by the EPA in 2022.

The fifth goal was to continue development and implementation of “Oakridge Air” TAG project. They were in the green status zone for that goal. **Steve Dietrich** shared that work was being done on homes in Oakridge. The number of vendors willing to work in Oakridge was lower than desired due to demand of work in the more-local Eugene-Springfield area. LRAPA, Good Company, and other Oakridge Air partners were coordinating efforts and modifying policies to maintain interest in the project. He added that Oakridge Air had been fully funded and awarded an additional \$2.73 million to continue the work for two more years.

They would now look at the Air Toxics and Cleaner Air Oregon priorities. The first priority was to continue to develop and implement programs, rules, and fee structures for area source National Emission Standards for Hazardous Air Pollutants (NESHAP). They were in the green status zone for that priority. **Steve Dietrich** noted that the revised NESHAPs were included in permits at renewal or sooner if necessary.

The second priority was to compare modeled air toxics concentration in the National Air Toxics Assessment (NATA) with local air toxics monitoring data. They were in the green status zone for that priority. Summary data of these findings were added to the LRAPA website in 2021.

The third priority was to implement the Cleaner Air Oregon (CAO) program. They were in the green status zone for that priority. **Steve Dietrich** reminded everyone that in November 2019, staff publicized the ranking to prioritize the call-in of existing sources and announced the first 10 facilities to call-in. So far, five facilities had been called-in: JH Baxter (JHB), Seneca Sustainable Energy (SSE), Willamette Valley Company (WVCO), Hexion Inc., and Emerald Forest Products.

**Jeannine Parisi** asked if the air toxics data online was from 2020 from their air monitors in Eugene. **Lance Giles** replied that it was the 2020 data, and it was the most recent data they have from their West Eugene and Amazon Park monitoring systems. The 2021 data was being finalized and would be added soon.

**Jeannine Parisi** knew that the SSE risk assessment had been approved and that they planned to include the CAO condition in the Title V permit renewal later in 2022. She inquired into what additional permitting requirements would be put on the facility based off the risk assessment. **Steve Dietrich** replied that they were still in talks about what those conditions would be. A community outreach effort would start soon, they would keep the Board updated on the process.

Next, they would go over the Airmetrics priorities. The first priority was to maintain self-supporting operation, at break-even or better production levels. They were in the yellow status zone for that priority. **Steve Dietrich** stated that COVID-19 and competitors with enhanced technology continued to pose a challenge. Mini-Vol Tactical Air Sampler (TAS) sales had leveled off at a 12-month average of 10 units/month (one unit/month greater than in March 2021). He noted that launching a new website in FY 2023 would positively affect sampler sales.

**Jeannine Parisi** remembered that the breakeven point was 16 samplers/month. She asked if that was still the case. **Trinidad Cardenas** replied that that number was based off additional salaries being allocated to the Airmetrics fund when the sales were healthier. Those sales were no longer being allocated.

Next, they would go over the agency administration goals. First was that they update LRAPA strategic priorities annually. They were in the green status zone for that goal.

The second goal was to provide timely permits, inspections, and construction reviews. They were in the green status zone for that goal. **Steve Dietrich** added that LRAPA was on track to meet their current inspection commitments by September 30, 2022. The backlog of expired permits that were extended was remaining relatively steady or even slightly increasing (33% overall).

The third goal was to improve compliance inspection, reporting, and tracking. They were in the green status zone for that goal. **Steve Dietrich** explained that they were working with Lane Council of Governments (LCOG) to expand the development of customized database for LRAPA, which would be called "LINFO". The first phase of LINFO had been put into action in May 2020. LINFO was accommodating tracking data and information related to permitted sources.

The fourth goal was to keep financial reserves at 120 calendar day minimum. They were in the green status zone for that goal. **Steve Dietrich** shared that despite the concerns to do the COVID-19 pandemic, LRAPA was in a solid financial position.

## **8. Advisory Committee**

**Jim Daniels**, chair of the LRAPA Citizens Advisory Committee (CAC), would give an update on their April 26, 2022, meeting. The meeting was hybrid (held in-person and virtually) and he thought it went well. They were supposed to interview potential new member James Bruvold, but he was unable to make it. **Jim Daniels** mentioned that it was the second time James Bruvold had not make the interview. They would try one more time. He shared that another applicant, Ronni Joll, had withdrawn from the process due to some miscommunications. **Jim Daniels** said that they also finalized the alternatives to gas powered tools handout. He was presenting it to the Board for final approval

**Howard Saxion** noted that in the minutes there was a motion to use Build Back Better funds and part of the conversation was around good smoke and bad smoke. He did not understand the distinguish between good and bad smoke. **Jim Daniels** did not want them to be distracted by that part of the conversation. He wanted to ask the Board for permission to link to prescribed burning issues and benefits. **Howard Saxion** had some concerns with that LRAPA should do nothing more than spread education on prescribed burning since they were outside of their work.

**Howard Saxion** thought the handout was done well. However, there was a comment about how corded tools were better to use because they did not have to mine for battery materials. He said they should think deleting that comment. **Joe Pishioneri** concurred.

**Jeannine Parisi** was glad to see that the handout was being finalized. There was good information on the sheet to help teach the community. She asked if they could change the wording around corded power tools from “even better alternative” to “another alterative”. **Jim Daniels** replied that they were open to any edits.

**Mike Fleck** saw some hypocrisy in saying that they could put out information on gas-powered tools but not on prescribed burning.

**Howard Saxion** noted that at the top of the flyer there was emission estimates from 2011. He thought 20,700 pounds of fine particular matter seemed low from the nationwide standpoint. **Jim Daniels** replied that the information came from an EPA study.

**Matt Keating** appreciated the work that the CAC did on the handout. However, he had some questions around the battery power section.

Most of the Board was comfortable with the CAC moving forward with distributing the handout.

## **9. Director’s Report of Agency Activities in the Month of April 2022**

**Steve Dietrich** knew that they were low on time and advised the Board to go over the information later and contact him with any questions. He noted that the air quality index looks good.

**Jeannine Parisi** shared that in the Budget Committee there was talk about a potential new grant. **Steve Dietrich** replied that there was potential for them to get \$460,000 through the American Rescue Plan Act (ARPA). However, they found out that they were not eligible for the grant.

## **DISCUSSION**

### **10. Old Business**

**Steve Dietrich** suggested covering some of the questions from their April meeting. He could also respond to them via email. **Joe Pishioneri** was comfortable with an email being sent out with the questions and answers.

**Jeannine Parisi** asked if the Director’s evaluation was part of what would be emailed. **Steve Dietrich** replied that it was. He reminded the Board that Jeannine had asked a question about what would be presented and what form would be used. He intended to update the form which was chosen and then send that out to the Board members well before the June 9, 2022, LRAPA meeting. **Jeannine Parisi** wondered if they wanted the CAC to work with staff and give

feedback for the evaluation. **Joe Pishioneri** agreed, he thought they should give the CAC the task of getting feedback. **Jeannine Parisi** noted that they had done quite a few surveys in the past. She suggested keeping the questions similar so they could watch for trends.

## **11. New Business**

**Terry Fitzpatrick** thought that they were at the point where they could start meeting in person. He appreciated the use of online meetings during the pandemic but felt it was time to go back to in person.

**MOTION: Terry Fitzpatrick** moved, seconded by **Jeannine Parisi**, to have the LRAPA Board start meeting in person.

**Joe Pishioneri** replied that he had been having conversations with Steve Dietrich over the last few weeks. The issue was that by law they had to allow virtual participation. That meant finding a room that accommodated the Board and the technological needs necessary.

**Matt Keating** emphasized that they were still in a public health crisis. The United States had recently passed the one million death mark. He was concerned that if they started meeting in person that not everyone would follow health measures (masks, six feet apart, vaccinations, etc.). **Joe Pishioneri** reminded him that no one would be forced to meet in person because a hybrid option would be allowed.

**Mike Fleck** would like to see them start to make progress towards meeting in person. If they needed to buy equipment, he wanted them to do that. He supported them starting to meet in person.

**Matt Keating** was in favor of having Board members that were not vaccinated be the group to participate virtually. **Joe Pishioneri** was unsure if they could make that request. **Kristina Kraaz** believed that it was legal to make the request but was unsure if the public meetings law would allow for enforcement if someone was not compliant.

**Terry Fitzpatrick** and **Jeannine Parisi** withdrew their motion for further review.

## **12. Adjournment**

**Chair Joe Pishioneri** adjourned the meeting at 1:52 p.m.

*(Minutes recorded by Lydia Dysart)*