

A G E N D A

LANE REGIONAL AIR PROTECTION AGENCY
MONTHLY BOARD OF DIRECTORS MEETING
THURSDAY FEBRUARY 13, 2020
12:15 P.M.
LRAPA MEETING ROOM
1010 MAIN STREET
SPRINGFIELD, OREGON

(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)
 - 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. (12:30 p.m.) Consent Calendar
 - A. Approval of Minutes January 2020 Board of Directors Meeting [VIEW MATERIAL](#)
 - B. Approval of Expense Reports for December 2019 & January 2020 [VIEW MATERIAL](#)

REPORTS:

5. (12:40 p.m.) Presentation by Rivers to Ridges: Ecological Burning – Purposes and Protocols
6. (1:00 p.m.) Advisory Committee – Interview Shane Ruddell – Applicant: Agriculture (Farm Bureau/Hazelnut Farmer) [VIEW MATERIAL](#) – Cleaner Air Spaces CAC February 25, 2020 meeting [VIEW MATERIAL](#)
7. (1:10 p.m.) Director's Report of Agency Activities in the Month of January 2020 [VIEW MATERIAL](#)

ACTION ITEM:

8. (1:20 p.m.) Elect Board Chair and Vice Chair [VIEW MATERIAL](#)
9. (1:30 p.m.) Appoint New Budget Committee Members and Budget Officer [VIEW MATERIAL](#)

DISCUSSION AND POSSIBLE ACTION:

10. (1:40 p.m.) Succession Planning – Timeline and Profile [VIEW MATERIAL](#)
11. (1:50 p.m.) Old Business
12. (1:55 p.m.) New Business
13. (2:00 p.m.) Adjournment

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MINUTES
LANE REGIONAL AIR PROTECTION AGENCY
BOARD OF DIRECTORS MEETING

THURSDAY FEBRUARY 13, 2020
1010 MAIN ST, SPRINGFIELD, OR 97477

ATTENDANCE:

- Board:** Mike Fleck - Chair - Cottage Grove; Joe Pishioneri – Vice Chair – Springfield; Betty Taylor – Eugene; Jeannine Parisi – Eugene; Gabrielle Guidero – Springfield
- Absent:** Charlie Hanna – Eugene; Kathy Nichols – Oakridge; Mysti Frost - Eugene; Joe Berney – Lane County
- Staff:** Merlyn Hough–Director; Debby Wineinger; Nasser Mirhosseyni; Max Hueftle; John Morrissey; Lance Giles
- Others:** Jim Daniels – CAC Chair; Wes Messinger - Rivers to Ridges Collaborative; Professor Ben Clark; Eric Burdette; Stanley Ang; Arron Cobb – University of Oregon

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.)

Parisi said she was hoping Mysti Frost would be here today so she could report back on the neighbor meeting sponsored by Beyond Toxics.

Parisi also asked if Merlyn Hough could give an update during the Directors Report on the petition received by DEQ/EQC for increased regulation of smaller Indirect Sources.

4. ACTION ITEMS:

Consent Calendar:

- A. Approval of Minutes of November and January 2020 Board of Directors Meeting
- B. Approval of Expense Reports for December 2019 & January 2020

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

5. PRESENTATION BY RIVERS TO RIDGES: ECOLOGICAL BURNING:

Wes Messinger with Rivers to Ridges Collaborative gave an overview of the purposes and protocols.

Parisi asked if it was possible to do this work without generating complaints from residents about smoke.

Wes Messinger said they do everything they can to minimize complaints. **Hough** said it was almost impossible to not get any complaints due to the nature and location of the ecological burning.

Taylor thought it would be good to go to all the neighborhood groups and explain what they are doing.

Guidero asked how this affects EPA and guidelines/standards; is this exempt? **Hough** said this is allowed under LRAPA rules and our rules are approved as part of the State Implementation Plan. It did not contribute to violations of the national air quality health standards.

Pishioneri said this type of burning is good for the environment, and the community. Are they exempt from our averages? We have a contributor that is legal, but he thinks those numbers should be exempt on days they are burning. **Hough** said there is an "exceptional event" process, but it's for things not under our control. Also, with the EPA exceptional event process, in Oakridge 2017 we submitted nine days that were clearly related to wildfire impacts. EPA is

initially inclined to only approve part of them, because of the EPA criteria of “regulatory significance.” They need to approve enough that it doesn’t change the attainment status of the area when 2018 and 2019 data are included. They should look at all the days we submitted because it’s a three-year average standard. Currently, we meet national annual average standards even with the inclusion of the exceptional events. **Pishioneri** was concerned that their burning may result in restrictions on others that should be able to legally burn in order to stay within standards. **Hough** said that would be an additional pressure point on this activity. So, we would have to sort through that.

Parisi thanked Wes Messinger for coming and reminding everyone of the partnership. There was an incident a few years ago where smoke crossed the road, so this was on LRAPA’s radar. There is legislation that is floating around that will probably be passed in the short session. It is requiring utilities to come up with wildfire mitigation plans around power lines. She thinks there could be some partnerships with utilities and Rivers to Ridges in terms of expertise on how to manage these controlled fires and risks.

6. CITIZENS ADVISORY COMMITTEE:

Daniels introduced Shane Ruddell – Applicant: Agriculture (Farm Bureau/Hazelnut Farmer). Shane Ruddell spoke about his background and experience.

Pishioneri asked about alternates/proxies for attendance issues on the CAC. **Daniels** said he will look into this and they will discuss during their next meeting.

MOTION: Taylor MOVED to appoint Shane Ruddell to the Citizens Advisory Committee; Pishioneri SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS

Daniels also said during their last meeting, Lance Giles gave his presentation on Air Toxics.

Hough said Cleaner Air Spaces will give an overview of the program during the CAC February 25, 2020 meeting. U of O is involved with a Capstone project they would like to have conversations with Board Members and Citizens Advisory Members. Eric Burdette said the UO Capstone group will forward the questions for review.

Eric Burdette gave an overview of the project during today’s Board Meeting.

Parisi was happy with this work. She feels clean air shelters are important. What do we do if we have a major wildfire event, and when we do meet certain thresholds, do we stop doing some activities, like football games, or track events.

7. DIRECTOR'S REPORT OF AGENCY ACTIVITIES IN THE MONTH OF JANUARY 2020:

Hough reviewed the report and said air quality has been good for this time of year.

He reminded everyone we are still in the process of hiring a new Public Affairs Manager, and two Field Inspectors.

Hough followed up about the Indirect Sources that Jeannine Parisi mentioned. They are sources that don't specifically have emissions but are a concentration of emission sources, such as motor vehicles. We currently have rules for major new parking lots or major highway projects that would attract a lot of motor vehicles. As time goes by, since there are progressively cleaner cars and cleaner fuels, the LRAPA reviews of major new Indirect Sources are pretty routine. However, there is a petition that the Environmental Quality Commission (EQC) received and it was on their January agenda. It proposes that the threshold for Indirect Source permitting be at a much smaller level. It would require developers to identify the air quality impacts and it would be a statewide DEQ requirements. LRAPA has to be at least as stringent as the state so it would directly affect LRAPA. He was sure DEQ staff will look very carefully into the benefits and the costs as they report back to the EQC.

Parisi said two sections were relative to marine terminals and airports. How would you monitor airports for something like this? **Hough** said take offs and landings are usually the activity parameters.

Guidero thought lowering the standards for the community was kind of a sideways way of eliminating cars and traffic. Rather than actually protecting people from poor air quality.

Hueftle said Eugene Airport did get an indirect source permit for their parking spaces. Our rules require an Indirect Source Permit for 250 or more parking spaces within city limits and 500 if outside the city limits. A related piece to this is that Oregon has received money from the Legislature to get more information on the non-road diesel emissions and sources. They are looking specifically at Eugene Airport as far as what equipment they have. In their survey they reported a much higher usage rate as compared to the Portland Airport. The petitions specify that anything over 7,500 sq. ft of development be subject.

Hough said he asks five questions when things are potentially controversial.

1. Is there a problem?
2. Is it worth solving?
3. Are we the right agency to deal with it?
4. Are the proposed solutions reasonable?
5. Are we listening and responsive to the comments we receive from those affected?

Hough said we also we just got word that Arauco North America, Inc. (Formerly Flakeboard) will be closing their Title V facility in Eugene on May 1, 2020. It is a big deal for the community and for LRAPA it is roughly a loss of \$40,000 a year in permit fees. So, when we talk about

budgeting “best case, base case, and worst case” these are the types of unknowns we try to prepare for in the reserves. **Hueftle** said they will be laying off 84 people, but they do have another facility in Albany where they might be able to accommodate some jobs. They will have to pay fees for 2020 which we collect in 2021. There will also be some reporting requirements. They are decommissioning on May 1, 2020 and it doesn’t look they are going to try and repurpose or find a buyer.

Fleck asked again about the gasoline facilities that are still on the enforcement report dated back to May 2019. “Violation: The permit holder failed to submit performance test records to LRAPA”. **Hough** said the extended time to complete the enforcement process was partly affected by the loss of staff in November 2019. We have given the facilities a period of time to locate and submit the missing testing reports and we are in the process of working on settlements with those unable to document that the required testing was completed and in compliance. They should disappear from the report within the next few months.

8. ELECT BOARD CHAIR AND VICE CHAIR:

MOTION: Taylor MOVED to nominate Joe Pishioneri as Board Chair; Guidero SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS

Pishioneri said Oakridge has not had representation for over ten years. He wanted to nominate **Mayor** Kathy Nichols as Vice-Chair. **Fleck** was a little concerned that her schedule may not allow her to attend a lot of the meetings. **Pishioneri** said he will reach out to her and discuss. This was delayed until the March 12th meeting.

9. APPOINT NEW BUDGET COMMITTEE MEMBERS AND BUDGET OFFICER:

MOTION: Parisi MOVED to accept the below recommendations. Pishioneri SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS

- I move that Mr. Adam Rue, Ms. Iva Pfeifer and Ms. Marianne Dugan be appointed to the LRAPA budget committee for 3-year terms.
- I move that Mr. Zak Gosa-Lewis be appointed to the LRAPA budget committee for 2-year term.
- I move that Nasser Mirhosseyni be appointed as the LRAPA budget officer for the FY2021 budget year.

Mirhosseyni updated everyone on the March 12th meeting location. The information will be forwarded to everyone.

10. SUCCESSION PLANNING – TIMELINE AND PROFILE:

Hough said there were two key things they wanted to discuss today. One was the timeline, and the other was the profile. We took the 2005 recruitment brochure and there are two pages in there

that discuss the director recruitment profile. One page describes the ideal candidate. Another page outlines the required qualifications. We reached out to two firms for some general information before we put out the RFP. If you don't have a clear direction on the profile it can be a very time-consuming process. The timeline starts with the RFP process.

Taylor thought there should be discussion on if we even need a recruiter. **Fleck** said we did have the conversation and thought the consensus was we did want to use a recruiter. **Taylor** said she must have missed that meeting. She didn't agree with spending the money on a recruiter. **Guidero** said she remembered one of the reasons they decided to use a recruiter was to be sure they were meeting all the Federal and State requirements for the hiring process.

Fleck asked if everyone thought the timeline was okay? There are a lot of processes to go through. **Hough** said they would get the notice (RFP) published in the next few weeks and he thought there was plenty of time. **Mirhosseyeni** asked if Board members were going to want to be included in the selection process for a recruiter. **Pishioneri** said staff should present the top three to the governing body. **Mirhosseyeni** also asked about the Board's involvement in the selection committee that reviews the applications. This is mentioned in the RFP. **Parisi** said as long as it is vague, the RFP language is fine because we haven't had a discussion to finalize the level of Board involvement yet. **Fleck** said we will have a follow-up discussion on this at the next meeting. **Hough** asked the Board to review the Profile so once a recruiter is selected it can be forwarded to them. **Parisi** thought the educational requirements for an Executive Director and minimum of three years staff supervision seemed light. She wondered what a recruiter would think about those requirements. Those standards are so broad it doesn't really narrow down to the level of expertise we would be looking for in an Executive Director. **Parisi** liked the wording in the RFP Section IV.C.7, under the proposed process: "... non-binding general range, or not to exceed amount, of the anticipated cost of the services proposed ..."**Hough** mentioned that one thing that came up during conversation with the two example firms was to set aside moving costs. In their experience that can be a stumbling block and to be cognizant of that early in the process.

11. OLD BUSINESS: None

12. NEW BUSINESS: None

13. ADJOURNMENT

The meeting adjourned at 1:58 p.m.

Respectfully submitted,

Debby Wineinger