

Up in the Air

The dirt on Lane County's air pollution agency

BY KERA ABRAHAM

The air smells good on top of Spencer's Butte. It's sometimes dense with humidity, and the clouds wrap thick around the butte's ferny head; sometimes it's breezy and dry, and the sky cracks open a startling blue. But the air is always clean, with that crispness that a little less oxygen brings.

The view from the summit reveals Lane County in all its geographic diversity. The Three Sisters jag the skyline to the east, frizzy with fog. To the south, the Creswell farmland makes neat agricultural squares, and here and there puffs of smoke rise from rural houses. The farmland cedes to patchy forest, and moving north, the forest falls into the urban grid of Eugene-Springfield, with its circuit of roads and buildings and fuming factories. Sometimes — especially on hot summer days — a shimmering disc of haze, orange-brown at sunset, hovers over the city. It doesn't smell as good down there.

Who's watching out for our air?

The Lane Regional Air Pollution Authority, or LRAPA (the acronym is pronounced "el rappa," like a Chicano hip-hop artist) is in charge of keeping the county's airshed in compliance with all state and federal air quality standards. It's currently the only regional air regulator in Oregon; the Oregon Department of Environmental Quality (ODEQ) Air Pollution Division oversees the rest. If LRAPA didn't monitor Lane County's air, ODEQ would; and if ODEQ didn't, the U.S. EPA would.

LRAPA has stood strong for 37 years, but it stands on shaky legs. The agency is constantly scrambling to avoid a fiscal meltdown, relying on temporary grants and enterprise projects to stay afloat from one quarter to the next. It's also vulnerable to a host of political pressures that perpetually threaten to shut it down. Some local residents worry that a recent rash of layoffs, combined with a dramatic pro-industry shift on the board, has obscured the agency's mission to protect the public health.

Eugene and Springfield taxpayers pay more for air quality control than other Oregonians because taxes from the state, county and city help to fund the agency. Now, with LRAPA at a crossroads, Lane County faces a difficult question: Is it worth it?

Balancing the Banks

LRAPA, like all agencies, runs on money. And all of that money flows through Sharon Banks. When LRAPA is short on funds, Banks scrambles for grants. When the budget shortfall is so great that it may require a layoff, Banks makes the call. After 15 years with LRAPA, she has one of those run-on titles that denotes someone who holds a crumbling agency

together: Finance/Human Resources/Special Projects Manager.

On a cool, drizzly day in early April, Banks greets me at the LRAPA office in a navy blue business suit, neat with no frills. Her steady blue eyes and a serious countenance make me stand up straighter. She leads me to Public Affairs Officer Kim Metzler's office, where we all sit down. Metzler is disarming and warm, with long blond hair and an "organic mom" vibe. Like Banks, she has been with the agency for more than a decade, and she is intimate with LRAPA's nuances.

Banks ticks off the agency's primary functions like she's done so many times before, at so many board meetings during so many Power Point presentations: LRAPA's clean diesel project reduces vehicle exhaust, and its outdoor burning program has significantly cut back on the region's wood smoke emissions. The agency regulates industrial air emissions through permitting and inspections, maintains nine air monitors throughout the county and posts a real-time air quality index of particulate matter levels at www.lrapa.org

As much as she stresses LRAPA's good works, Banks makes no bones about the current state of the agency. "We're under-staffed and we're under-funded," she says. "We're trying the best we can with what we have."

At the root of the problem is LRAPA's lack of secure and consistent funding. For one, Banks says, the agency doesn't get its fair share of the state general fund. Excluding self-funding programs, the ODEQ gets 15 percent of its annual budget from the state coffers, while LRAPA only gets 3 percent — \$58,000 (see chart). Banks feels that because Lane County has almost 10 percent of the state's population,

LRAPA should get an according share of the state general fund earmarked for air quality control — about \$180,000. That alone, she says, would solve LRAPA's chronic budget problem.

Where the state general fund comes up short, local contributions fill in. The city of Eugene pays LRAPA about \$123,000 annually; Springfield, \$51,000; and Lane County, \$99,000. These amounts, however, are arbitrary, and all three jurisdictions have threatened to reduce or eliminate their contributions. If any of them follows through, LRAPA could lose its EPA grant of \$128,000, which is contingent upon a minimum local contribution. The effect would be too much, Banks says; LRAPA would probably fold.

Fining polluters doesn't help the agency, either. Although LRAPA levied \$90,000 in fines in 2004, the state statute requires the agency to hand over citation money to the county general fund — a provision intended to divorce enforcement from LRAPA's bottom line.

One way that LRAPA has tried to make up the difference is by creating enterprise projects. Airmetrics, a special department that manufactures portable air samplers, earned the agency a profit of \$40,000 last year. Another project — Banks' brainchild, called Everybody Wins — allows local truck drivers to lease mounted generator sets that reduce fuel loss during idling. The project is expected to net the agency \$130,000 during the 2005-06 fiscal year.

The largest source of LRAPA's operations revenue is industrial permit fees, providing more than \$1 million of the agency's \$1.8 million budget. And so, even as LRAPA is supposed to enforce air quality regulations on industry, it appears beholden to it.

"If we had funding that didn't depend on the cities, the industries, the state," Metzler says, "if we had stable funding that was from a tax base ..."

"Then we could focus on so many more things," Banks finishes. "[The funding problem] makes us vulnerable to industry because if they start making waves with some of the political powers that be, we all lose our jobs."

That pressure may have been a factor in a string of layoffs that occurred between November 2004 and February 2005, and it leaves some staff members wondering who's next.

Survivor

A running joke among LRAPA staff is that the agency is like the TV show *Survivor*: people keep getting voted off the island. In the span of three months, five of 19 staff members were terminated or laid off. It started when former Director Brian Jennison fired former Operations Manager Robert Koster.

"He and I didn't get along," Jennison says. "We didn't communicate, and our styles were radically different. Other than that, we had a

In my previous jobs, we actually issued violation notices. At LRAPA, we've morphed from enforcement to compliance assistance, if you get my drift. — Brian Jennison, former LRAPA Director

