

SENECA AIR POLLUTION HEARING

Lane Regional Air Protection Agency (LRAPA) is holding a public hearing on the controversial proposed Seneca biomass plant on Thursday, July 30. Concerned Eugeneans are encouraged to come give comment on the plant's air pollution permit.

While some see biomass cogeneration as the new clean energy, others say a wood burning plant within city limits is not only polluting to the air Eugeneans breathe but could have other, unforeseen, repercussions on the environment.

Oregon Toxics Alliance (OTA) executive director Lisa Arkin said the proposed plant will "emit more than 500 tons of pollutants into west Eugene's air every year." According to OTA's data, the plant would be Eugene's largest source of the carcinogens styrene, acetaldehyde, and naphthalene as well as hydrogen chloride, which Arkin said causes respiratory illnesses. It would be Eugene's third largest source of formaldehyde, also a carcinogen, she said.

Of particular concern, Arkin said, is that the proposed plant would be in west Eugene. "That's a lot to put on those neighborhoods that have a high incidence of lung cancer," she said.

Arkin added that the plant would also emit 212,000 tons of the global warming contributor carbon dioxide each year, as well as other direct and indirect greenhouse gases.

OTA is asking that the permit require Seneca to use the most stringent pollution controls to reduce greenhouse emissions; use continuous "stack" monitoring for as many pollutants as possible; report to the Eugene Toxics Right-to-Know program; and fund an ambient air toxics monitor in West Eugene to monitor the air there.

Doug Heiken of Oregon Wild questioned the public subsidies the plant qualifies for as an alternative energy project because, he said "reducing the production costs of industrial clearcutters is not really a redeeming activity that furthers the public interest, and there are better uses of those scarce public resources."

According to OTA's analysis of the permit, the plant will require 32 tons of wood an hour to generate electricity. Heiken said this wood will be the by-product of clearcutting — slash, made up of small trees and limbs too small to be economically useful as lumber. Heiken said, "By subsidizing the disposal of Seneca's slash piles and helping to heat Seneca's lumber kilns, we are essentially subsidizing their clearcuts by paying them for slash disposal and kiln heating that used to cost them money."

A press release from the Oregon Department of Forestry (ODF) on July 28 said there has been a decline in timber harvests, with specifically a decline this year of private timberlands harvesting, such as Seneca's. "This reduction in lumber and plywood mills across Oregon also means there are less mill residuals available for biomass energy and paper products" according to a ODF economist.

According to Heiken, one consequence of building a slash-burning plant like the one Seneca proposes is: "When the day finally comes to reform Oregon's antiquated clearcutting policies, will we hear crazy excuses like, 'We can't stop clearcutting or it will limit our supply of renewable energy obtained from slash piles?'"

Merlyn Hough, LRAPA executive director said the agency welcomes comments both at the Thursday meeting and in writing. The most useful comments, he said, are the ones "directly relating to the permits — have we applied the our rules correctly?" Comments on areas such as environmental justice and forest practices have been educational for the LRAPA staff — "We see the whole spectrum," he said — but have to be referred to other experts.

Hough said there will be an informational meeting at 5:30 pm, followed by recorded public comments at 6:30 pm. If there are a large number of comments, they will be limited to three minutes each. The meeting is at Harris Hall at 125 East 8th. For those who can't attend or who want to go into greater depth, LRAPA will take written comments through 5 pm Aug. 14. Send to LRAPA Permit Coordinator, 1010 Main St., Springfield 97477 or email lrapa@lrapa.org — *Camilla Mortensen*



news Briefs

GATES ARREST COULD HAPPEN IN EUGENE

President Obama's comment that Cambridge police behaved "stupidly" in arresting an African-American Harvard scholar has made national news. Could such police conduct happen here?

A 2002 study for the Eugene police gathered data on 18,000 traffic stops and found that local police were far more likely to stop and search minorities. Police stopped African-American drivers at a rate 2.3 times higher than white drivers. Latino male drivers were stopped at a 22 percent higher rate and searched at a rate 2.6 times higher than whites. The studies found that minorities were no more likely to be carrying contraband.

The study produced no apparent reform by the Eugene Police Department. EPD officials denied that they racially profiled minorities and never publicly released racial profiling data again.

The police union, which resisted the racial profiling study, later blamed a rape spree by a union member, officer Roger Magaña, on hiring Hispanics. The union ignored the many white officers who had failed to investigate years of complaints against their coworker.

A decade ago, an EPD study found significant resistance to diversity in a police department "that has yet to fully accept diversity." The public study was never repeated.

In Cambridge, police charged Henry Louis Gates Jr. with disorderly conduct in his own home after the professor accused an officer of racial profiling. The police later dropped the charge.

Short of inciting a riot, the First Amendment to the U.S. Constitution gives people a right to verbally protest arrests, many legal experts agree. In 1987, the U.S. Supreme Court ruled that "the First Amendment protects a significant amount of verbal criticism and challenge directed at police officers."

But police here and elsewhere apparently don't agree with the Constitution. This month the deputy Eugene police auditor found that an officer falsely arrested a woman last summer for verbally protesting an arrest at a post-college age party. "That's exactly what the [Oregon] Supreme Court has overruled," Dawn Reynolds said.

Citizens Review Board (CRB) chair Rick Brissenden, a municipal court judge outside Eugene, agreed. Arresting someone for interfering with a police officer or similar charges has to involve some sort of physical action by the accused, according to Brissenden. "Saying something the officer doesn't like" isn't a crime, the judge said.

But EPD Capt. Steve Swenson disagreed. "The behavior of one person," he told the CRB and auditor, "could incite others." Eugene Police Chief Pete Kerns, City Manager Jon Ruiz and the mayor and City Council ignored the independent auditor and CRB member recommendations on the case. — *Alan Pittman*

GATES CASE COMPARED TO GAINER

The arrest of Harvard professor Henry Louis Gates Jr. as a burglary suspect at his own home in Cambridge, Mass., was a painful reminder for one former UO professor, Ajuan Mance, now an associate professor of English at Mills College in Oakland, Calif., and a scholar of black history and literature.

In her blog BlackOnCampus.com Mance recounts her short time in Eugene, "a city with a tiny black population (less than 2 percent of the overall population)." She writes that "an African-American faculty member — the director of the gospel choir — was harassed by the police twice, each time after being reported as a black man behaving suspiciously by white neighbors and residents. Eventually this kind and talented gentleman who was beloved by students left his job and the area. He no longer felt safe or welcome in the community."

She was writing about John Gainer, who left Eugene to move to the San Francisco Bay Area in 2000, due in part to confrontations with Eugene police officers. Gainer founded the gospel choir and was its director for 17 years, beginning in 1983.

— *Ted Taylor*

BROWN PANS POLICE MOVE

Calling it "bad policy," Eugene City Councilor George Brown has voiced his opposition to the proposed police facility on Country Club Road in a letter July 22 to fellow councilors and the mayor.

"Viewed in total isolation of every other consideration, I fully understand why this proposal is attractive to its supporters," he wrote. "However, as you know, there is currently only \$22 million in the Facility Reserve Fund, which was created to help build a new City Hall and maintain existing structures. If we spend \$16 million to move the police, that would leave only \$6 million in reserve."

Brown says it would cost \$8 million to seismically retrofit City Hall to "essential" standards, "meaning not only would everyone survive, but the building could still function."

"Other city-owned buildings are well below 'life-safety' standards, including the airport terminal, the Overpark and the Atrium," he wrote. "There would be no money left to address their needs, and they house city and federal staff, travelers, shoppers, renters, and downtown employees."

Brown said merely moving the police

Lane Area Herbicide Spray Schedule

• **Weyerhaeuser** (744-4600) will aerially spray 672 acres: near Low Pass, Horton, Blachly, Triangle Lake, Greenleaf, Deadwood, and Lorane near Long Tom, Conrad, Hayes, Poodle, Fish, Lobster, Lake and Crow creeks with herbicides; Accord XRT, Accord Concentrate, Oust XP, Oust Extra, Chopper, Escort, Arsenal, Garlon 3A and Garlon 4, Garlon XRT Ultra, Transline, Tahoe, and with adjuvants; Activator 90, Induce, Support, methylated seed oil, and silicone adjuvants to kill ferns, salal, vine maple, big leaf maple, hazel, snowberry, etc. starting Aug. 11 (notification #2009-781-50427).

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