

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT
GOVERNING BOARD MINUTES
July 13, 2016

(All Meetings Are Mechanically Recorded)

The Great Basin Unified Air Pollution Control District Governing Board of the Counties of Alpine, Inyo and Mono, State of California met at 10:00 am on July 13, 2016 at the Alpine County Administrative Center, 99 Water Street (State Highway 89), Markleeville, California 96120.

The following Board members were present: Board Chair Larry Johnston, Mono County; Board member Stump, Mono County; Board member Kingsley, Inyo County; Board member Griffiths, Inyo County; Board member Rawson, Alpine County; and Board member Hames, Alpine County. Board member Wentworth, Town of Mammoth Lakes, was absent.

GBUAPCD staff present: Phill Kiddoo, Air Pollution Control Officer; Susan Cash, Administrative Projects Manager; Chris Lanane, Air Monitoring Specialist; Nik Barbieri, Director of Technical Services; Mike Slates, Research & Systems Analyst II; and Tori DeHaven, Clerk of the Board.

Members of the public included: Liz O’Sullivan, Mono County Resident.

Agenda Item #1
Call to Order
Pledge of Allegiance

Board Chair Johnston called to order the regular meeting of the Governing Board at 10:10 a.m.

Board members Kingsley and Griffiths were absent.

Board member Stump then led the Pledge of Allegiance.

Agenda Item #3
Election of
Governing
Vice Chair for 2016
(Action)

The Board determined that a Vice Chair would be elected at the September meeting.

Agenda Item #4
Consent Agenda
(Action)

It was determined that the Board would decide on consent agenda item ‘a’ with the arrival of Board members Kingsley and Griffiths.

Motion (Rawson/Hames) approving consent agenda items b through i as follows:

- b. Approve consulting and service contracts for fiscal year 2016-2017 (effective July 1, 2016)
- c. Approve office and monitoring leases and rental agreements for fiscal year 2016-2017 (effective July 1, 2016)
- d. Approval of annual sole-source determination
- e. Approve travel and expenditures related to Washington D.C. trip to accept EPA Award

- f. Out-of-state travel authorization: USEPA National Ambient Air Monitoring Conference, August 8-11, 2016, St Louis, Missouri
- g. Approve update to Discrimination and Harassment Policy
- h. Approve the transfer of funds from capital asset reserves and approve the purchase of one (1) new 2016 high-clearance 4 door 4 wheel drive sports utility vehicle in the amount of \$35,117.39 from Perry Motors, Inc
- i. Approve purchase orders with Campbell Scientific and Sensit Company for the total amount of \$62,021.20 for the purchase of sand motion monitors and radios for the Owens Lake and Mono Lake Dust ID networks

Ayes: Johnston, Stump, Hames, Rawson

Noes: 0

Abstain: 0

Absent: Kingsley, Griffiths, Wentworth

Motion carried 4/0 and so ordered.

B/O 160713-04b

Board members Kingsley and Griffiths arrived at 10:13 am.

Motion (Rawson/Hames) approving consent agenda item a as follows:

- a. Approval of the May 16, 2016 regular Governing Board meeting minutes

Ayes: Johnston, Griffiths, Hames, Rawson

Noes: 0

Abstain: Kingsley, Stump

Absent: Wentworth

Motion carried 4/0 and so ordered.

B/O 160713-04a

Agenda Item #5
Informational Items
(No Action)

APCO Kiddoo gave a brief summary on each informational item. The Board congratulated staff on its receipt of an award from the U.S. Environmental Protection Agency. The Board then directed discussion toward concerns about tree mortality issues currently being discussed by local agencies. APCO Kiddoo noted that although not everyone is on the same page when it comes to solutions in addressing these issues he suggested that perhaps this topic be listed on a future agenda for the Board to discuss.

Agenda Item #2
Public Comment on
Matters not on the
Agenda

Board Chair Johnston asked for public comment on items not on the agenda at 10:38 am.

(No Action)

Ms. Liz O’Sullivan, Mono County Resident, noted her concerns regarding the US EPA’s intention to amend the Clean Air Act specifically in regards to the Regional Haze Rule. Ms. O’Sullivan’s concerns can be summarized as follows:
(Ms. O’Sullivan provided a copy of the presentation she gave to the GBUAPCD Board in 2011; a copy is available upon request to the Clerk of the Board)

- 1) It is disturbing that we have to weaken and/or dismantle environmental laws in order to protect and restore the environment.
- 2) Humans are part of the environment and we should not degrade human health and welfare at the expense of the environment.
- 3) The human body does not distinguish between natural vs. human made pollution.
- 4) We need to treat urban wildland interface to ensure that human life and property is not lost, however, is the best available science which is being used to treat the forests really the best available science?
- 5) Humans fail to fully understand the nuances of the environment and perhaps Mother Nature should be left to do what needs to be done to take care of her own.
- 6) There is an opportunity for the District to weigh in on this issue and ask the big questions specifically why human health has to be sacrificed to restore wildland.

The Board requested that this topic be a future agenda item or as a workshop. The Board than asked APCO Kiddoo to address the Regional Haze Rule in his APCO report.

Board Chair Johnston closed the public comment period at 10:46 am.

Agenda Item #6
Adoption of the 2016
Great Basin Unified
APCD Air Quality
Monitoring Network
Plan for Air
Monitoring Efforts
in the District
(Action)

Board member Kingsley left at 10:46 am.

APCO Kiddoo gave a brief report on the AQMNP as well as a summary of the comments as submitted by the LADWP.

Board member Kingsley returned at 10:50 am.

Motion (Stump/Rawson) adopting the District’s Annual Air Quality Monitoring Network Plan for submission to the US EPA Region IX administrator for approval.

Ayes: Johnston, Griffiths, Hames, Rawson, Kingsley, Stump

Noes: 0

Abstain: 0

Absent: Wentworth

Motion carried 6/0 and so ordered.

B/O 160713-06

Agenda Item #7
Approve Resolution
Setting Regular
Board Meeting dates,
Times, and
Locations
(Action)

Motion (Griffiths/Kingsley) approving a resolution setting the time, place, and location for regular meetings in compliance with the Brown Act. Regular meetings will occur at 10:00 am on the second Thursday of odd months.

Ayes: Johnston, Griffiths, Hames, Rawson, Kingsley, Stump

Noes: 0

Abstain: 0

Absent: Wentworth

Motion carried 6/0 and so ordered.

B/O 160713-07

Agenda Item #8
Board Member
Reports
(No Action)

Board member Rawson – Burn Boss delay due to nesting birds.

Board member Hames – added that the birds that are nesting are seasonal migratory birds that are nesting in the burn pile.

Board member Stump – stated that he was enjoying relatively clean air this summer.

Board member Griffiths – noted that he toured the Rough Fire area and met with the coalition that is forming regarding tree mortality and fire on the landscape.

Board member Kingsley – nothing to report.

Board Chair Johnston – explained that he had recently visited forest area on the west side that has been devastated by tree mortality.

Agenda Item #9
Air Pollution Control
Officer's Reports
(No Action)

APCO Kiddoo gave a report on the following topics:

- 1) The Board approved the 2016 SIP and staff transmitted it to the California Air Resources Board who has since submitted it to the U.S. Environmental Protection Agency for approval.
- 2) The District was part of a six-part series published by Greenwire, entitled *Dead Seas* (*link available on the District website www.gbuapcd.org*)
- 3) Although staff wasn't given much time to research and fully understand the Regional Haze Rule, as introduced by Ms. O'Sullivan, staff noted that the rule was first adopted in 1990 with monitoring efforts occurring beginning in 1980. The last revision was done in 1999 and is now being reviewed for possible revision. Staff will continue to research this issue with plans for a future agenda item and/or workshop.
- 4) On July 8, 2016 Notice of Violation (NOV) 461 (*failure to install, operate and maintain fully compliant BACM in Phase 7a transition areas by*

December 31, 2015) and Notice to Comply (NTC) 1113 (request to submit quarterly reports for the Phase 7a areas as required by SOA #110317-01, paragraph 9).

- 5) After more than 27 years of service as the Deputy Air Pollution Control Officer, Duane Ono will be retiring as of the end of this year.

Agenda Item #10
Set Date and
Location of Next
Regular Meeting
(September in Mono
County, CA)

Due to the Board members being unavailable to attend the regularly scheduled meeting, in accordance with the newly adopted Board meeting schedule, the Board will hold a special meeting at 10:00 am on September 14, 2016 in Mammoth Lakes, California. The District's Clerk of the Board will find and reserve a handicap accessible meeting room and contact the District Board members as to its location.

**Agenda Item #11,
12, & 13**
CLOSED SESSION

Board Chair Johnston convened the Board into closed session at 11:38 am.

11. CLOSED SESSION - The Board will recess into closed session for a conference call with legal counsel regarding existing litigation in the following matters:

- a. Russell Covington; Robert Moore; Randy Sipes; Randal Sipes, Jr.; Laborers' International Union of North America Local Union No. 783 vs. Great Basin Unified Air Pollution Control District; Mono County Superior Court, Case No. CV140075; pursuant to subdivision (a) of Section 54956.9 of the California Government Code.
- b. Mammoth Community Water District vs. Great Basin Unified Air Pollution Control District; Mono County Superior Court, Case No. CV140076; pursuant to subdivision (a) of Section 54956.9 of the California Government Code.

12. CLOSED SESSION

- a. Evaluation of performance – Section 54957(b)(1) of the California Government Code. Employee being evaluated: Air Pollution Control Officer
- b. Conference with labor negotiators – Section 54957.6 of the California Government Code: Changes regarding the salaries, salary schedules or compensation paid in the form of fringe benefits. Employee: Air Pollution Control Officer

13. CLOSED SESSION

- a. Conference with labor negotiators – Section 54957.6 of the California Government Code: Changes regarding the salaries, salary schedules or compensation paid in the form of fringe benefits. Employee groups: Management Employees and Non-Management Employees. Board-designated representative: Air Pollution Control Officer.

The Board reconvened into open session at 1:14 pm. The Board reported as follows:

Regarding item #11, nothing to report.

Regarding item #12, negotiations have been completed. A contract will be coming back.

Regarding item #13, a contract will be coming back.


Adjournment

The meeting was adjourned by Board Chair Johnston at 1:15 pm. The Board will reconvene in open session at 10:00 am, on Wednesday, September 14, 2016 in Mammoth Lakes, California.

Attest:



Tori DeHaven, Board Clerk


Larry Johnston, Board Chair

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Call to Order 10:10 a.m.
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Board member Stump then led the Pledge of Allegiance.

Agenda Item #3 The Board determined that a Vice Chair would be elected at the September
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Governing
Vice Chair for 2016
(Action)

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Ayes: Johnston, Stump, Hames, Rawson

Noes: 0

Abstain: 0

Absent: Kingsley, Griffiths, Wentworth

Motion carried 4/0 and so ordered.

B/O 160713-04b

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Motion (Rawson/Hames) approving consent agenda item a as follows:

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Ayes: Johnston, Griffiths, Hames, Rawson

Noes: 0

Abstain: Kingsley, Stump

Absent: Wentworth

Motion carried 4/0 and so ordered.

B/O 160713-04a

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Ayes: Johnston, Griffiths, Hames, Rawson, Kingsley, Stump

Noes: 0

Abstain: 0

Absent: Wentworth

Motion carried 6/0 and so ordered.

B/O 160713-06

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(Action)

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Ayes: Johnston, Griffiths, Hames, Rawson, Kingsley, Stump

Noes: 0

Abstain: 0

Absent: Wentworth

Motion carried 6/0 and so ordered.

B/O 160713-07

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Attest:

Tori DeHaven, Board Clerk

Larry Johnston, Board Chair