

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT  
GOVERNING BOARD MINUTES  
September 14, 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 September 14, 2016 at the Town of Mammoth Lakes Council Chambers, 437 Old Mammoth Road (Suite Z), Mammoth Lakes, California 93546.

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

GBUAPCD staff present: Phill Kiddoo, Air Pollution Control Officer; Susan Cash, Administrative Projects Manager; Nik Barbieri, Director of Technical Services; Grace Holder, Senior Scientist; and Tori DeHaven, Clerk of the Board.

**Agenda Item #1**  
Call to Order  
Pledge of Allegiance

Board Chair Johnston called to order the regular meeting of the Governing Board at 10:03 a.m.

Board member Rawson then led the Pledge of Allegiance.

**Agenda Item #2**  
Public Comment on  
Items not on the  
Agenda  
(No Action)

Board Chair Johnston asked for public comment on items not on the agenda at 10:04 am.

No comment was offered.

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

**Motion** (Griffiths/Hames) electing Board member Wentworth to the position of Governing Board Vice Chair for 2016.

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

*Noes: 0*

*Abstain: 0*

*Absent: 0*

Motion carried 7/0 and so ordered.

B/O 160914-03

**Agenda Item #4**  
Adopt and Authorize  
the Board Chair to  
Sign Resolution  
2016-05  
Recognizing Duane  
Ono, Deputy Air  
Pollution Control

APCO Kiddoo read Resolution 2016-05 noting Deputy Air Pollution Control Officer Ono's contributions and career highlights. DAPCO Ono will be retiring after more than 27 years of service, on December 27, 2016.

**Motion (Kingsley/Stump) adopting and authorizing the Board Chair to sign Resolution 2016-05 recognizing Duane Ono, Deputy Air Pollution Control Officer, upon his retirement.**

**Discussion:**

Board Chair Johnston commented, *“Duane is a special individual and he deserves a lot of the credit for the work that has been done on the Owens dry lake as well as on other significant projects. Duane is a great example of how a public servant can really step up and do great service for the public and everyone involved. It was a tough, tough time during the last five to ten years, working with DWP and Duane’s been right there all along. So I just really want to pass on my congratulations on his retirement.”*

Board member Hames added, *“The Great Basin really has been benefited by his experience and his dedication but you are sorely going to be missing his skillset and dedication as well, and I think it behooves you to try and come up to his level, which, I think, is going to be very hard. He really was one of the most important parts of this...agreements that we’ve had and to get that air control, under control.”*

Board member Kingsley said, *“Duane I think played, In my tenure here, played really a special role in that he always advocated for the strictest and most enforceable negotiations or...I’m not sure exactly how to characterize it, the Owens took...you knew he was going to give you the bottom line; the hardline. And whether or not I agreed with that on every occasion or not, and I didn’t, that’s an important role for somebody to play so that you have that perspective, because otherwise it’s hard to actually, to sometimes do the...you don’t know where the bottom line is and it’s hard to negotiate in some cases. So I really did appreciate, do appreciate, Duane’s role that he played. I think it’ll be...well, he will be missed in some ways, in many ways but in that particular way, I think. He played a really important role for the District and he’s done it for a lot of years, too.”*

Board member Rawson also added, *“I would just like to express my thanks to him for stepping up to the general manager role for as long as he did, as we were without leadership, and he did it with professionalism. I appreciate that.”*

APCO Kiddoo noted, *“In personal communications with Duane, he did express his gratitude and enjoyment in working with District staff and the work that we’ve done for twenty-seven and a half years. He also indicated that the work has been extremely satisfying, which is a neat way to go, and he also expressed that he really enjoyed working with the District Board and doing the right thing and doing it the right way.”* APCO Kiddoo then showed the Board the handcrafted replica of a PM<sub>10</sub> monitoring shelter that staff had made for Duane commemorating his retirement. The PM<sub>10</sub> monitoring shelter represents something that Duane always said, *“If it isn’t monitored, it didn’t happen.”*

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

Noes: 0  
Abstain: 0  
Absent: 0

Motion carried 7/0 and so ordered.

B/O 160914-04

**Agenda Item #5**  
Consent Items  
(Action)

**Motion** (Stump/Hames) approving consent agenda items b through f as follows:

- b. Authorize the Air Pollution Control Officer to sign and submit application for state subvention funds
- c. Approve and authorize Board Chair to sign Memoranda of Understanding with District Management and Non-Management Employee Groups regarding changes to District employee wages and benefits
- d. Approve and authorize Board Chair to sign amendment to contract with Phillip L. Kiddoo for the provision of a personal services as the District Air Pollution Control Officer
- e. Approve purchase of a monitoring shelter from EKTO Manufacturing, a District sole-source provider, for the Lee Vining Monitoring Station for \$42,000
- f. Approve exchange of District Teledyne API Model 602 Continuous Particulate Monitor for two Thermo Model 1405 PM10 Monitors from San Joaquin Valley APCD

Ayes: Johnston, Stump, Hames, Rawson, Kingsley, Griffiths, Wentworth  
Noes: 0  
Abstain: 0  
Absent: 0

Motion carried 7/0 and so ordered.

B/O 160914-05b

**Motion** (Rawson/Stump) approving consent agenda item a, with amendments to pages 2 and 3, as attached:

- a. July 13, 2016 Governing Board meeting minutes

Ayes: Johnston, Stump, Hames, Rawson, Kingsley, Griffiths  
Noes: 0  
Abstain: Wentworth  
Absent: 0

Motion carried 6/0 and so ordered.

B/O 160914-05a

**Agenda Item #6**  
Keeler Dunes Project  
Update  
(No Action)

Dr. Grace Holder, Senior Scientist, gave a slideshow presentation updating the Board on progress made for the Keeler Dunes Project.  
*(the presentation is available upon request to the Clerk of the Board)*

**Agenda Item #7**  
Owens Lake Phase  
9/10 Construction  
Update  
(No Action)

Nik Barbieri, Director of Technical Services, gave a slideshow presentation updating the Board on Owens Lake Phase 9/10 Construction.  
*(the presentation is available upon request to the Clerk of the Board)*

**Agenda Item #8**  
Informational Items  
(No Action)

No comment or questions.

**Agenda Item #9**  
Board Member  
Reports  
(No Action)

Board member Stump noted that he would have to leave at 11:50 this morning.

**Agenda Item #10**  
Air Pollution Control  
Officer's Reports  
(No Action)

APCO Kiddoo gave a report on the following topics:

- 1) Various agency representatives have been contacted to invite them to speak at a Forest & Air Workshop scheduled for November 10, 2016, at the Board's next regular meeting. Representatives include Unit Chief Glenn Barley, CALFire San Bernardino/Inyo/Mono; Anthony Caprio, Fire Ecologist, Sequoia, Kings and Devil's Postpile National Parks; Deb Schweizer, Public Affairs Officer, Inyo National Forest; and Don Schweizer, who specializes in smoke transport, US Forest Service Region 5.
- 2) Staff has invited Tina Suarez from the California Air Resources Board to speak at a California Regional Haze SIP/Plan revision workshop to be held at the Board's regular meeting on January 12, 2017.
- 3) On September 13, 2016 the United States Environmental Protection Agency published a notice in their federal registrar of their proposed intent to adopt Rule 433 – Control of Particulate Emissions at Owens Lake. This is now in the 30-day comment period, and after this period, this is the first step in approval of our 2016 SIP.
- 4) The T28 Gravel Inundation – shallow flood area which was transitioning to a hybrid BACM area which consists of gravel and shallow flood. Prior to the sprinkler systems being turned on in adjacent areas that were going to be managed vegetation, large sand deposits inundated on top of the gravel. This happened in November and December (2015) during three large wind events. Staff sent a letter of concern to DWP in December, and as should happen, DWP promptly responded. Their response was, 'we realize we have a major problem on our hands, what can we do to fix it, let's work together.' Staff met with DWP out there shortly after. It's taken six months but now all of the areas are back to a functional BACM state. Staff went

out there in early August (2016) and confirmed. A letter was issued by staff to DWP notifying them that they are now in compliance.

- 5) NOV 473 – This was a NOV that was written to the DWP back in 2011 regarding the Channel Area for non-compliance of BACM. Subsequently, the dust control mitigation efforts out there have been sufficient. As it has been the District's desire to resolve the outstanding NOV, staff asked DWP for early vegetation monitoring of the Phase 7a areas. They will do this two years earlier than anticipated which will be helpful in monitoring the progression of the vegetation growth. Staff will also be collecting DWP's Channel Area data and incorporating that into our Dust ID model. DWP has agreed to the settlement offer and accepted it.
- 6) NOV 461 – This is a NOV for Phase 7a areas of shallow flooding in which DWP was using sprinklers to meet the shallow flood compliance which they were unable to meet previously. District staff worked with DWP for six months to try and get area wetness up to compliance standards which DWP was unable to do. DWP later tested the system in July and was able to achieve compliance. Initial DWP response was very strongly worded and they weren't intent on meeting compliance. Since receiving District staff response detailing requirements of the law and requirements of our agreements, DWP has indicated that they will meet compliance and will pay an emissions offset fine. The fine has to be put into the District's Owens Lake emissions offset fund in accordance with the 2011 Stipulated Order for Abatement (2011 SOA). Staff will be coming to the Board on how to spend that money; it has to be prioritized for the OVPA (Owens Valley Planning Area) according to the 2011 SOA. Staff will recommend that the money be transferred to the Keeler Dunes Dust Control Project. The money cannot be used for any DWP projects.

**Agenda Item #11**  
Confirm Date and  
Location of Next  
Regular Meeting  
(November 10, 2016  
in Mono County, CA)

The next regular meeting of the District Governing Board will convene at 10:00 am on November 10, 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 #12**  
**CLOSED SESSION**

Board Chair Johnston convened the Board into closed session at 11:24 am.

**12. 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.

- c. 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.


The Board reconvened into open session at 11:50 am. The Board reported as follows:


There was nothing to report, however, it was noted that closed session item 12.c was a duplicate.

**Adjournment**

The meeting was adjourned by Board Chair Johnston at 11:50 am. The Board will reconvene in open session at 10:00 am, on Thursday, November 10, 2016 in Mammoth Lakes, California.

**Attest:**

  
Tori DeHaven, Board Clerk

  
Larry Johnston, Board Chair