

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

November 10, 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 November 10, 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 Vice Chair Wentworth, Town of Mammoth Lakes; 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.

GBUAPCD staff present: Phill Kiddoo, Air Pollution Control Officer; Susan Cash, Administrative Projects Manager; Nik Barbieri, Director of Technical Services; Grace Holder, Senior Scientist; Ann Piersall, Air Monitoring Tech II; Kimberly Mitchell, Research & Systems Analyst II; Susan Determann, Air Monitoring Tech II; Jon Becknell, Air Quality Specialist II; and Tori DeHaven, Clerk of the Board.

Members of the public included: David Griffith and Annie Dean, Alpine Biomass Committee; Liz O'Sullivan, Mono County resident; Earl Wilson, Inyo County resident; Greg Cook, GC Forest Products; Danna Stroud, Sierra Nevada Conservancy; Taro Pusina, Inyo National Forest; Alan Abbs, California Air Pollution Control Officer's Association; and Milad Taghavi, City of Los Angeles Department of Water and Power.

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

Board Chair Johnston called to order the regular meeting of the Governing Board at 10:05 a.m.

Board Vice Chair Wentworth 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 10:06 am.

No comment was offered.

**Agenda Item #3**  
Forest & Air Workshop  
(No Action)

APCO Kiddoo introduced the various speakers as well as staff presenters.

The presentations are summarized as follows (*copies of the slideshow presentations are available in the Board Packet and upon request to the Clerk of the Board*):

**Glenn Barley, San Bernardino/Inyo/Mono Unit Chief, CalFire: presented a current overview of drought, wildfires, bark beetle impacts and an update on the Governor's task force and activities.**

- The bark beetle has become a serious problem especially with the last five years of drought. Currently, there are an estimated 66 million dead trees since 2010 due to the bark beetle. The beetles are affecting the trees in epidemic proportions.

- A tree mortality task force has been formed in collaboration with seven working groups, eighty entities, and ten counties all working together to address nineteen directives to handle the tree mortality issues.
- The costs of the tree mortality emergency can be broken down as follows: \$2.8 billion estimated cost to remove trees; approximately \$562 million to remove trees on USFS land and \$2.2 billion on non-USFS land.
- There are a few options for using the dead trees once removed: lumber (only viable for 3-4 months, feedstock, export, firewood, shavings and chips.
- The dead tree epidemic will be long lasting and difficult to remedy. The epidemic along with the severe drought raises fire threat. California and its associated resources including water, wildlife, forest products, recreation, fire regimes and associated economics have all been affected.
- Resources are being focused on ten counties with the hope for a bleed over effect to the rest of the state. In order to qualify as one of these counties there has to be a high tree mortality, either tier 1 or tier 2, and the county must have their own task force.
- Biomass facilities are shutting down due to economics and cost which leaves less options in dealing with the dead trees.

**Jim Branham, Executive Officer for the Sierra Nevada Conservancy: presented on the state of the Sierra Nevada's Forests.**

- California's primary watershed is in the Sierra Nevada Region and it provides more than sixty percent of California's developed water supply which nourishes communities, agriculture and industry.
- The Sierra Nevada Watershed Improvement Program was developed due to the unhealthy state of the Sierra Nevada forested watersheds. Currently, eighty percent of the dead trees in California are in the Sierra. The death of the trees means fire size and severity are increasing, water supply systems are at risk of massive sedimentation, and habitat is adversely affected. It is estimated that restoration efforts need to triple in order to address the release of significant PM 2.5 and black carbon being released by severe wildfires.
- The desired outcomes for the restoration initiative is the restoration of the health and resilience of forests, streams, meadows and communities while addressing tree mortality issues and reducing the risk and consequences of large and damaging wildfires. Other desired outcomes include improving habitat conditions, preserving working landscapes, reducing greenhouse gas emissions and stabilizing carbon storage. Improving the quantity and quality of water throughout the year while reducing air pollution and resulting health impacts.

**Anthony C. Caprio, Fire Ecologist for the Sequoia, Kings and Devils Postpile National Parks: presented on the Rainbow Fire: past and contemporary fire regimes in the Devils Postpile National Monument, CA.**

- The Rainbow Fire ignited by lightning in the Devils Postpile National Monument on August 20, 1992 six miles below the monument. 60+ mile an hour winds spread the fire to 2,400 acres in twenty-four hours. By September 8 about 3,378 acres had burned including 82% of the monument.
- Since the fire the objectives have been as follows: to examine post-fire vegetation responses using fire effects plots installed immediately post-fire and sampled six times from 1992-2012, examine post-fire tree regeneration in relation to fire severity, reconstruct patterns of past fire occurrence and examine its role in vegetation dynamics, and to determine what this might mean for management of the monument.

**Debra Schweizer, Public Affairs Officer, Inyo National Forest: presented on smoke and air quality summary of the Inyo, Sequoia and Sierra National Forest plan revision.**

- The forest plan revision goes through a process which addresses environmental impacts. An Environmental Impact Statement (EIS) explains proposed plan revisions, presents spectrum of management alternatives and analyzes environmental, social and economic effects. One EIS equals three records of decisions and three unique forest plans. Natural

resource topics for forest plan revisions are fire management, ecological integrity and sustainable recreation and designated areas.

- Fire management activities minimize the risk of loss of life and damage to property or ecosystem function. Firefighter and public safety are the first priority in every fire management activity. Fire reduction activities reduce fuel buildup, help maintain and protect habitat, reduce smoke from larger fires, provide added protection for communities and restore fire on the landscape. These actions are also an integral part of achieving sustainable recreation.
- Wildland fire is a necessary process, integral to the sustainability of fire-adapted ecosystems. Wildland fires burn with a range of intensity, severity and frequency that allows ecosystems to function in a healthy and sustainable manner.
- The revised forest plan addresses community wildfire protection, general wildfire protection as well as wildfire maintenance. Plan components allow for increase in mechanical treatments, prescribed burning and use of wildfires managed to meet resource objectives.

A break was taken at 11:30 am.

The Board resumed their regular meeting at 11:48 am.

**Don Schweizer, Air Resource Specialist, U.S. Forest Service Region 5: presented on smoke transport in the Sierra Nevada.**

- Although smoke modeling provides transport effect information understanding ground level impacts is still improving.
- There is exponential growth in emissions when there are high-density suppression fires. A dataset overlaid from various sites from 2006-2014 showed under low-density HMS there is not a statistical connection. However, medium to high density shows greater impact.
- Working closely with Dr. Cisneros at UC Merced to gather information on public perception of alerts and notifications.

**Alan Abbs, Executive Director for the California Air Pollution Control Officer's Association: presented on air curtain incinerator updates.**

- Air curtain incinerators control emissions better than open pile burning by using forced air. They are also preferable to open pile burning as their feed rate is more controllable, the fire is more contained and operators can respond faster to changing weather using a semi-enclosed device.
- Although air curtain incinerators have been intermittently permitted in California mostly for State Parks, a few private operators and an occasional USFS air curtain incinerator, this has been mostly at the local district level for the last decade.
- Questions have been raised about permitting, notification and consistency between districts on allowing operation in order to allow movement through different parts of the state.
- US EPA Region 9 informed CAPCOA and districts that New Source Performance Standards issued in 2006 require Title V Permits for air curtain incinerators.
- Various requirements have to be considered prior to the issuance of a permit by a district. Requirements include: once a district specific permit is issued a device could not travel to another district and operate without getting a new permit. Title V's themselves are complicated and require public notification and require review by EPA staff before issuing.

**Jon Becknell, Air Quality Specialist II, GBUAPCD: presented on naturally ignited wildland fires and case studies of the Clark and Owens River fires.**

- Although the fire season for 2016 was projected to be severe in the Sierra Nevada the Great Basin Valleys Air Basin remained only moderately impacted in terms of wildland fires and smoke.

- The Lakes Fire, which started June 12, 2016 in Yosemite National Park, grew slowly to about 1,000 acres and smoke usually only impacted the community when it drifted down-valley in the early mornings.
- The Mokelumne Fire, which started August 19, 2016 in the Mokelumne Wilderness of Alpine County, burned lightly for a total of 655 acres over several weeks.
- The Slate Fire, which started on October 12, 2016 in a Sequoia National Forest area, did not carry readily so land managers have decided to add supplemental planned ignitions in October to effectively treat about 1,600 acres.
- On August 4, 2016 the Clark Fire started and ignited amongst numerous recently burned prescribed fire areas in the Crestview vicinity which were reviewed, reviewed and approved by staff in Smoke Management Plans for the last 15 years. The Clark Fire burned 2,819 acres.
- The Owens River Fire burned 5,443 acres starting September 17, 2016. The Owens River Fire and the Clark Fire each burned intensively through untreated forest areas and then abated in a day or so upon reaching areas treated by thinning and prescribed fire.

**Ann Piersall, Air Monitoring Technician II, GBUAPCD: presented on the Emergency Air Quality Monitoring Program.**

- During the summer of 2015 the District initiated an Emergency Air Quality Monitoring Program which was created to provide real-time air quality information to local communities during air quality emergencies. Portable monitors are installed during emergencies in areas not covered by the District's permanent monitoring stations.
- The program consists of two portable particulate matter (PM) monitors, E-BAMs from Met One Instruments, and satellite telemetry units. These units are compact and durable and can be deployed to areas not covered by the District's permanent air monitoring network or to areas with known sensitive receptors such as school, hospitals or emergency shelters. The monitors collect real-time data that may be used to issue public health advisories.
- The program was created in response to increasing frequency of wildfires affecting communities that do not have permanent monitoring stations.
- Since the program's inception, monitors have been deployed to eight locations for six wildfires.

**Kimberly Mitchell, Research & Systems Analyst II, GBUAPCD: presented on Rule701 – Air Pollution Episode Plan, public health alert notifications and website updates.**

- District Rule 701, Air Pollution Episode Plan, was adopted in March of 2014. The rule establishes advisory procedures and specific pollutant criteria levels used to alert the public of air contaminants that may be harmful to health and recommendations to reduce exposure for populations who may be at risk. This rule expanded on the District's Owens Lake Health Advisory Program, which began in 1995 by introducing criteria levels for PM2.5 and wildfire smoke and expanding the program beyond Owens Lake.
- Two air quality health advisory lists are maintained for episode notifications; the dust advisory list notifies 180 subscribers by email and 58 by text message. The smoke advisory list notifies 199 subscribers by email. Subscribers include schools, health offices, media, Owens Lake workers and members of the public. So far this year, there have been 27 Air quality Health Advisories issued between January 1, 2016 and October 18, 2016.
- The District's website ([www.gbuapcd.org](http://www.gbuapcd.org)) can be viewed for air quality conditions, health advisories, pollutant levels and links to pertinent information with hourly updates.

Board Chair Johnston asked for public comment at 1:14 pm.

Mr. Earl Wilson, Inyo County resident, indicated that although he likes the idea of air curtain incinerators he wonders why pelletizing the waste isn't being looked into. He also asked if EPA would be interested in providing money for air

sampling during fires, on a chemistry level. It would be interesting to know the types of chemicals being produced under such hot temperatures.

Mr. Greg Cook, GC Forest Projects, said that options need to be explored to address dealing with fuel reduction waste. An option to consider would be biomass plants. Treatment solutions need to be expedited as well as moving away from propane use.

Ms. Liz O'Sullivan, Mono County resident, explained that perhaps the current issues within the environment are just the natural progression of things. She suggested that environmental management may actually be making things worse.

Lunch was taken at 1:35 pm.

The Board resumed their regular meeting at 2:19 pm.

**Agenda Item #4**  
Consent Items  
(Action)

Board Chair asked for public comment at 2:20 pm.

Board member Rawson noted under public comment that she would like to introduce Mr. David Griffith. Mr. Griffith is newly elected to the Alpine County Board of Supervisors and will be taking her place.

**Motion** (Griffiths/Kingsley) approving consent agenda items a through f as follows:

- a. September 14, 2016 Governing Board meeting minutes
- b. Approve the purchase of one (1) new Cannon ImageRUNNER ADVANCE C5560i and accessories detailed in the bid received from American Business Machines in an amount not to exceed \$13,687.92 and authorize the APCO to sign any service agreements for the copier
- c. The Board declared as surplus all the equipment and vehicles listed in the staff report and authorize the APCO to dispose of such as provided in the District's Purchase, Bidding and Contract Policy (Section 4.3 of Rule 1101).
- d. Hearing Board members Pumphrey and Sweeney be re-appointed to the Hearing Board for a three year term ending December 31, 2019.
- e. The District Governing Board authorizes the APCO to approve Amended Purchase Order #1433 with Greenheart Farms Inc from Arroyo Grande, California for the purchase of an additional 15,000 native shrubs for the Keeler Project. The total price for the additional plants included in the amendment including tax is \$28,998.00. The total number of plants included in Amended Purchase Order #1433 is 92,000 with a cost not to exceed \$177,854.40.

- f. Approve PO with Draganfly Innovations Inc. for the amount not to exceed \$18,561.61 for the purchase of an additional Draganfly Commander airframe, and other maintenance items

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

*Noes: 0*

*Abstain: 0*

*Absent: 0*

Motion carried 7/0 and so ordered.

B/O 161110-04

**Agenda Item #5**

Approval to Transfer Funds from Notice of Violation #461 in the Amount of \$1,199,707 to the Keeler Dunes Dust Control Project Budget (Action)

APCO Kiddoo explained that the funds in question are a result of the issuance of Notice of Violation (NOV) #461 to the City of Los Angeles Department of Water and Power (LADWP). The money is a settlement for the LADWP's failure to be in compliance for Shallow Flooding in Phase 7a and Phase 7 Transition Areas that were required to be completed by January 1, 2016. The LADWP paid the settlement in a timely manner at which time the funds were deposited into the Clean Air Projects Program (CAPP) and the District budget (non-SB 270), as required by the Stipulated Judgment. The action that staff is asking the Board to make is to approve the transfer of those funds from the CAPP and District budgets to the Keeler Dunes Dust Control Project budget. The Keeler Dunes Dust Control Project is the District's dust control project on the north shore of Owens Lake near the community of Keeler. It is a requirement of the Stipulated Order of Abatement of 2011 that the funds be used within the Owens Valley Planning Area. The Owens Valley Planning Area boundaries are south of Tinnemaha and they extend all the way down to the inlet of Haiwee, which is just south of Olanca and Cartago. It is the District's liability to fix the dust problem resulting from the Keeler Dunes. The LADWP's liability was released as part of the 2013 Settlement Agreement between the District and LADWP.

Dr. Grace Holder, GBUAPCD Senior Scientist, further explained that as it stands right now there is about \$44,000 left in the Keeler Dunes budget from the original \$10M. The NOV money would go toward ongoing operations and maintenance as well as any unexpected expenses that may arise with additional construction work that might need to be done.

Board Chair Johnston noted that at a previous hearing, staff had indicated that \$10 million would be enough to sustain the Keeler Dunes Dust Control Project. To which Dr. Holder explained that a number was given during that time without fully considering what the project would entail. Mr. Taghavi of the City of Los Angeles Department of Water & Power added that projects on Owens Lake often do not go as planned and end up costing more than expected. He also indicated that LADWP fully supports the settlement money being used on the Keeler Dunes Dust Mitigation Project.

Board members then began a discussion centered on the actual motion.

Board member Hames made motion number one indicating support for the action as described by staff in the Board Packet.

Board member Kingsley noted that he thought a contingency should be added to the motion that stated that money not spent on the Keeler Dunes should automatically revert back to the CAPP fund to be used in the Owens Valley Planning Area (OVPA). He added that this would help future Boards to determine what would be done with unspent money. Board member Griffiths supported the addition to the motion.

Board member Hames rejected the addition to his motion at which time Board member Kingsley proposed a secondary motion which would include his contingency.

Board Chair Johnston said that he wasn't sure adding the contingency was in line with the agenda item and action. He indicated concern that the Brown Act may be violated as the contingency was not an agenda Board action. Board members Kingsley and Griffiths disagreed.

Staff noted that using the money in the OVPA was already indicated in the Stipulated Order for Abatement, however, APCO Kiddoo also recognized why it may be important for historical purposes to add the contingency.

Board member Stump asked if having the contingency would likely bring about any concerns for staff in regards to spending the money. To which APCO Kiddoo replied that there are no concerns due to the fact that the Keeler Dunes are the District's liability and that the money will be spent accordingly.

Board member Rawson proposed a third motion specifying where the money would be allocated. The other Board members indicated that the allocation was already specified in the staff recommendation at which time Board member Rawson rescinded her motion.

The proposed motions and their outcomes are as follows:

**Motion #1** (Hames/Rawson) approving the transfer of funds from NOV #461 in the amount of \$1,199,707 (one million one hundred ninety-nine thousand seven hundred and seven dollars), comprised of \$1,019,751 (85%) from the Owens Lake Excess Air Pollution Offset Fund Clean Air Projects budget and \$179,956 (15%) from the District's regular budget, to the Keeler Dunes Dust Control Project budget

**Motion #2** (Kingsley/Griffiths) approving the transfer of funds from NOV #461 in the amount of \$1,199,707 (one million one hundred ninety-nine thousand seven hundred and seven dollars), comprised of \$1,019,751 (85%) from the Owens Lake

Excess Air Pollution Offset Fund Clean Air Projects budget and \$179,956 (15%) from the District's regular budget, to the Keeler Dunes Dust Control Project budget. Also the Board added that any funds not expended on the Keeler Dunes Dust Control Project revert back to the Clean Air Projects budget to be used within the Owens Valley Planning Area.

*Ayes: Wentworth, Rawson, Kingsley, Griffiths*

*Noes: Johnston, Stump, Hames*

*Abstain: 0*

*Absent: 0*

Motion carried 4/3 and so ordered.

B/O 161110-05

*(Board Chair Johnston noted that Motion #1 was negated by the secondary motion vote)*

**Motion #3** (Rawson/Hames) approving the transfer of funds from NOV #461 in the amount of \$1,199,707 (one million one hundred ninety-nine thousand seven hundred and seven dollars), comprised of \$1,019,751 (85%) from the Owens Lake Excess Air Pollution Offset Fund Clean Air Projects budget and \$179,956 (15%) from the District's regular budget, and allocating up to \$1,199,707 to the Keeler Dunes Dust Control Project budget.

*(Motion #3 was rescinded by Board member Rawson)*

**Agenda Item #6**  
Informational Items  
(No Action)

Board chair Johnston asked if any of the Board members had comments on the informational items. No comments were offered.

**Agenda Item #7**  
Board Member  
Reports  
(No Action)

Board member Stump said that he would like to see a future agenda item regarding the 2014 Sustainable Groundwater Act.

Board member Kingsley agreed and noted that the process would be a difficult one for anyone in our area.

Board member Hames added that it would mostly affect the central valley.

**Agenda Item #8**  
Air Pollution Control  
Officer's Report  
(No Action)

APCO Kiddoo noted that Board member Rawson would be retiring and that today would be her last District Board meeting. The Board and staff thanked her for her service. APCO Kiddoo announced that the position of Deputy Air Pollution Control Officer has been filled. With the retirement of Duane Ono, staff conducted interviews and the position was offered to Ms. Ann Piersall. Ms. Piersall has been employed with the District as an Air Monitoring Technician II for two years. An official deputizing ceremony will take place on January 3, 2017 at Owens Lake; the Board is welcome to attend.



Ms. Piersall indicated that she is looking forward to serving as DAPCO and continuing to work with staff and the Board.

**Agenda Item #9**  
Confirm Date and  
Location of Next  
Regular Meeting  
(January 12, 2017  
in Inyo County, CA)

Board Chair Johnston asked for public comment at 3:14 pm. No comment was offered.

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 #10**  
**CLOSED SESSION**

Board Chair Johnston convened the Board into closed session at 3:14 pm.

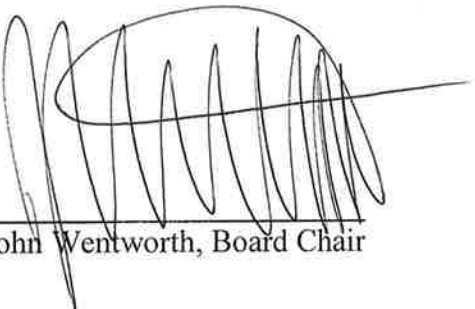
**CLOSED SESSION** - The Board will recess into closed session for a conference call with legal counsel regarding existing litigation in the following matters:

- 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.

The Board reconvened into open session at 3:26 pm with nothing to report.

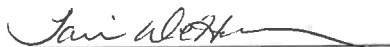
**Adjournment**

The meeting was adjourned by Board Chair Johnston at 3:26 pm. The Board will reconvene in open session at 10:00 am, on Wednesday, January 12, 2017 in Inyo County, California.



John Wentworth, Board Chair

**Attest:**



Tori DeHaven, Board Clerk