

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

March 9, 2017

(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 March 9, 2017 at the Inyo County Administrative Center, Board of Supervisors Chamber, 224 North Edwards Street (U.S. Highway 395), Independence, California 93526.

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 Tothoroh, Inyo County; Board member Griffith, Alpine County; and Board member Hames, Alpine County.

GBUAPCD staff present: Phill Kiddoo, Air Pollution Control Officer; Ann Piersall, Deputy Air Pollution Control Officer; Susan Cash, Administrative Projects Manager; and Tori DeHaven, Clerk of the Board.

Members of the public included: Milad Taghavi, City of Los Angeles Department of Water & Power; and Liz O'Sullivan, Mono County resident.

**Agenda Item #1** Board Chair Johnston called to order the regular meeting of the Governing Board at  
Call to Order 10:00 a.m.  
Pledge of Allegiance

Ms. DeHaven then led the Pledge of Allegiance.

**Agenda Item #2** Board Chair Johnston asked for public comment on items not on the agenda at  
Public Comment on 10:02 am.  
Items not on the  
Agenda  
(No Action) No comment was offered.

**Agenda Item #3** APCO Kiddoo noted that as of January 2017 the District has a new Deputy Air  
Induction of Deputy Air Pollution Control Officer, Ms. Ann Piersall  
Piersall  
(No Action) APCO Kiddoo added that DAPCO Piersall is a quick learner and well suited for the job. As law enforcement officers, the APCO and the DAPCO are tasked with the duties required by California Health and Safety Code section 40752. These duties include observing and enforcing all of the following:

- (a) Part 3, Air Pollution Control Districts and Part 4, Non-vehicular Air Pollution Control (commencing with Section 41500).
- (b) All orders, regulations, and rules prescribed by the district board.
- (c) All variances and standards which the district hearing board has prescribed.
- (d) All permit conditions imposed pursuant to Section 42301 (Purpose of a Permit System) and 42301.10 (Matters Included in Permit Issued to Title V Source).

**Agenda Item #4**  
Election of  
Governing Chair and  
Vice Chair for 2017  
(Action)

**Motion** (Stump/Hames) electing Board member Wentworth to the position of Governing Board Chair for 2017.

**Motion** (Kingsley/Hames) electing Board member Griffith to the position of Governing Board Vice Chair for 2017.

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

*Noes: 0*

*Abstain: 0*

*Absent: 0*

Motion carried 7/0 and so ordered.

B/O 170309-03

**Agenda Item #5**  
**PUBLIC HEARING**  
Fiscal Year 2017-  
2018 Total District  
Budget – Staff  
Report and Public  
Comments on the  
Draft District and SB  
270 Sub-budgets  
(No Action – 1<sup>st</sup> of  
Two Required  
Budget Hearings)

Board Chair Wentworth opened the public hearing at 10:07 am.

Susan Cash, Administrative Projects Manager, gave a brief staff report. The following points were discussed as well as outlined in the Board Packet:

- 1) The District budget (non-SB 270) for Fiscal Year 2017-2018 is \$698,800.
  - a. Compared to Fiscal Year 2016-2017, expenses are estimated to be \$5,600 lower (-0.80%). Anticipated revenue will balance the 2017-2018 budget.
  - b. Normal employee costs are down by \$74,300 (-13.02%) primarily due to reduced GASB 68 Trust-Prefunding (-\$55,700).
  - c. Revenue is projected to increase by \$6,800 (0.98%) due to the expiration of a temporary decrease of \$10,000 in air monitoring fees for the Town of Mammoth Lakes and a transfer from capital reserves, offset by a decrease in penalties and fines.
  
- 2) The proposed SB 270 budget and fee assessment for Fiscal Year 2017-2018 is \$5,025,500 which is \$319,500 (6.79%) more than the Fiscal Year 2016-2017 proposed budget and fee. The 2017-2018 budget contains estimates in each category to meet commitments made by the District in the 2016 SIP Board Order, Phase 9/10 EIR, December 2014 Stipulated judgment and the 2010 Coso Junction Maintenance Plan. The above mentioned include: maintenance and replacement of air monitoring equipment at Owens Lake; consultant fees necessary to carry out committed regulatory and compliance tasks at Owens Lake and Mono Lake; the December 2014 Stipulated Judgment to implement the terms of the stipulation and agreement which includes the end of the deferral of the Owens Lake Scientific Advisory Panel (OLSAP) in July 2017 (this budget does not add anything to the \$750,000 carried over from the 2015-2016 Fiscal Year budget).
  - a. Total SB 270 employee costs are estimated to be \$2,869,000, an increase of \$115,000 (4.18%) over Fiscal Year 2016-2017. This increase is primarily attributed to a 2.5% COLA for employees as well as increased health care premiums, offset by the decrease of 0.35 FTE (contract Administrative Clerk position eliminated).

3) The proposed total budget for all 2017-2018 District activities is \$5,900,500. This is \$295,100 (5.26%) more than the 2016-2017 total budget.

It was also noted that during the public comment period, the District received an email from Mr. Milad Taghavi, City of Los Angeles Department of Water and Power, which indicated that the LADWP had no objection to the proposed SB 270 budget and fee assessment.

Board Chair Wentworth asked for public comment at 10:33 am.

Mr. Taghavi reiterated that LADWP has no objections to the proposed Fiscal Year 2017-2018 SB 270 budget and fee assessment. He added that LADWP is looking forward to continuing working with District staff and said that LADWP is wondering if it's possible to revise the District's Reserve Policy. LADWP would like to see a reduced reserve amount. LADWP appreciates a reduction in legal fees and is wondering if a reduction in reserve amounts would coincide with continued cooperation with the District. LADWP suggested a rate of 10%.

Board Chair Wentworth closed the public comment period at 10:40 am.

Staff was asked to bring back numbers showing how such a reduction (or any other reduction) would affect the District. It was also noted that there would be no change to this year's budget but, if a policy change is approved, may be applied to next year's budget.

**Agenda Item #6**  
Consent Items  
(Action)

Staff requested removal of consent item 6i from consideration and the agenda.

**Motion** (Hames/Griffith) approving consent agenda items as follows:

- b. Adoption of publicly available pay schedules for Fiscal Year 2011-2012 through Fiscal Year 2018-2019
- c. Approve extension of time for Inyo County Environmental Public Benefit Fund expenditure
- e. Approve 2017 district rule adoption/revision schedule as required by California Health & Safety Code section 40923
- f. Approve purchase of TEOM maintenance items from Thermo Scientific, a sole-source provider, for \$25,000
- g. Approve purchase of Teledyne-API Model T640 PM10/2.5 for \$42,000
- h. Approve to re-establish the Technical Services Specialist (TSS) position in the Keeler Field Office

*Ayes: Johnston, Stump, Wentworth, Hames, Griffith, Kingsley, Totheroh*

*Noes: 0*

*Abstain: 0*

*Absent: 0*

Motion carried 7/0

a. Approval of the November 10, 2016 Governing Board meeting minutes

*Ayes: Johnston, Stump, Wentworth, Hames, Griffith, Kingsley*

*Noes: 0*

*Abstain: Board member Totheroh*

*Absent: 0*

Motion carried 6/0 and so ordered.

d. Waiver of District Rule 1102 annual \$0.55 per capita town and counties assessment fee for fiscal year 2017-2018

*Ayes: Stump, Wentworth, Hames, Griffith, Kingsley, Totheroh*

*Noes: Johnston*

*Abstain: 0*

*Absent: 0*

Motion carried 6/1 and so ordered.

B/O 170309-06

**Agenda Item #7**

Consider Appointing Two People to the Vacant Positions on the District's Hearing Board to Serve a Three-year Term  
(Action)

**Motion (Stump/Kingsley) appointing Mr. Larry Pruce, of Inyo County, and Ms. Karen Ferrell-Ingram, of Mono County, to serve a three-year term on the District's Hearing Board.**

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

*Noes: 0*

*Abstain: 0*

*Absent: 0*

Motion carried 7/0 and so ordered.

B/O 170309-07

**Agenda Item #8**

Regional Haze  
(No Action)

DAPCO Piersall told the Board that Item 8 would be put off until a future agenda due to Ms. Tina Suez-Murias, California Air Resources Board, being ill.

The Board indicated that they would like to have updates on federal effects, burning activities as well as a Region 5 update in the future presentation.

**Agenda Item #9**

Keeler Dunes Dust Control Project Update  
(No Action)

DAPCO gave a slide show presentation on updates for the Keeler Dunes Dust Control Project.

*(copies of the slideshow presentation are available upon request to the Clerk of the Board)*

The Board indicated that they would be interested in more frequent updates.

**Agenda Item #10**  
Informational Items  
(No Action)

APCO Kiddoo gave a brief explanation of the informational items as included in the Board Packet, specifically the travel report. At the request of Board member Johnston, APCO Kiddoo gave an update regarding the biomass boiler in Mono County which was funded by a Sierra Nevada Conservancy grants. He explained that although there is only one in our District, there may be future potential for use in other areas. He went on to elaborate on his trip to the Salton Sea Workshop and presentation made to State Water Resources Control Board entitled "*Lessons Learned at Owens Lake*". He stated that the Salton Sea has a lot of different issues compared to Owens Lake and is actually more similar to the issues encountered at Mono Lake. Something we have done that they haven't is the development of a health advisory mechanism. A major concern at Salton Sea is funding; there are a lot of stakeholders and some state funding has been secured but about ¾ of it has been used in the planning phase. Funding beyond that hasn't been secured yet.

**Agenda Item #11**  
Board Members  
Reports  
(No Action)

Board Vice Chair Griffith gave an update on the Sierra Nevada Conservancy Summit. The SNC has updated their report regarding the drought and the forest health in the Sierra Nevada. He noted that water consumed by people in the cities starts in the Sierra. The SNC is making a strong effort to get consumers of the water to try and contribute to the maintenance of the infrastructure which is the forests and the upper watersheds. He also commented on the poor health of the forests which effects air quality and can bring about more fire threats.

Board member Stump expressed concern for how the Sustainable Groundwater Management Act will impact District 2. He added that there are concerns that long term impacts could result in agricultural irrigation being terminated which would result in more dust. He renewed his request for the APCO to look into the matter as the law passed in Sacramento to deal with one particular issue may have spinoff effects.

Board member Johnston referenced his update on biomass as previously discussed in the informational items.

Board member Kingsley said there is a German business that can make small electric power generators that can run on anything basically. The company may be interested in a location in Bishop. It will be interesting to see what comes out of the other end of the small generators.

Board member Hames gave an update on the Alpine Biomass Committee. A presenter to the committee mentioned co-mingling biomass plants with sawmills. This may be the future in fire threat reduction.

Board member Totheroh said that he was happy to be here and added that he used to work on biomass in a nursery.

Board Chair Wentworth discussed a situation which he described as an "interesting multi-agency conundrum" with USGS, ORMAT, Forest Service, BLM regarding recreation activities on Town tax-payer funded Nordic and snow

mobile grooming programs, where for whatever reason it was determined that it was important to construct roads through twenty feet depths of snow using vast powerful mechanical blowers on a Saturday afternoon with kids and people running around in the woods with no prior notification, no sensitivity at all to the kinds of experiences that were going on out there. He added that he was just going to check with staff to see if this District has any jurisdiction or can provide any insight into how something like this happens. The Town of Mammoth Lakes is trying to follow up, Supervisor Corless has mentioned something about getting the collaborative planning team together for a bit of a specialized insight into it. It was of particular concern to residents and constituents.

**Agenda Item #12**  
Air Pollution Control  
Officer Report  
(No Action)

APCO Kiddoo reported on the status of the following items:

1. The 2016 OVPA SIP fell into a regulatory freeze due to a Presidential Executive Order. It is expected to move through March 27<sup>th</sup> or so.
2. There are on-going activities at Owens Lake; the District has maintained a great working relationship with LADWP. There have been three re-flood orders issued and LADWP responded quickly and met the required deadlines for BACM Shallow Flood.
3. Phase 9/10 construction: quarterly meetings are occurring. Construction phase still on schedule. There is regular communication.

Board member Stump asked if LADWP is dedicating staff to deal with the run-off.

Mr. Taghavi replied that there is staff in place and consultants trying to deal with the run-off issues. As of now there are many unknown possibilities and there could be major impacts to critical infrastructure.

Board member Kingsley added that Inyo County is working with the Mayor's office to deal with the impacts of the run-off and there may be an emergency declaration.

**Agenda Item #13**  
Confirm Date and  
Location of Next  
Regular Meeting  
(May 11, 2017  
in Bridgeport, CA)

The next regular meeting of the District Governing Board will convene at 10:00 am on May 11, 2017 in Bridgeport, 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 #14**  
**CLOSED SESSION**

Board Chair Wentworth convened the Board into closed session at 12:07 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 12:21 pm with nothing to report.

**Adjournment**

The meeting was adjourned by Board Chair Wentworth at 12:21 pm. The Board will reconvene in open session at 10:00 am, on Thursday, May 11 2017 in Bridgeport, California.



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John Wentworth, Board Chair

(signed by Vice Chair David Griffith)

**Attest:**



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Tori DeHaven, Board Clerk