

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

November 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 November 9, 2017 in the Town of Mammoth Lakes Council Chambers, 437 Old Mammoth Road (Suite Z), Mammoth Lakes, CA 93546.

Governing Board members present:

John Wentworth, Board Chair, Town of Mammoth Lakes
David Griffith, Board Vice Chair, Alpine County
Fred Stump, Mono County
Stacy Corless, Mono County Alternate
Matt Kingsley, Inyo County
Dan Totheroh, Inyo County
Ron Hames, Alpine County

Governing Board members absent:

Larry Johnston, Mono County

A quorum was present.

GBUAPCD staff present:

Phill Kiddoo, Air Pollution Control Officer
Ann Logan, Deputy Air Pollution Control Officer
Susan Cash, Administrative Projects Manager
Grace Holder, Senior Scientist
Chris Howard, Senior Research & Systems Analyst
Kim Mitchell, Research & Systems Analyst II
Tori DeHaven, Clerk of the Board

Members of the public included: (as indicated by voluntary sign-in)

None

Agenda Item #1 Board Chair Wentworth called to order the regular meeting of the Governing Board
Call to Order at 10:01 a.m.
Pledge of Allegiance

Board member Kingsley then led the Pledge of Allegiance.

Agenda Item #2 Board Chair Wentworth asked for public comment on items not on the agenda at
Public Comment on 10:03 am.
Items not on the Agenda

(No Action) No comments were offered.

Agenda Item #3
Consent Items
(Action)

Motion (Griffith/Corless) approving consent items a through b as follows:

- a. Approval of the September 14, 2017 Regular Governing Board Meeting Minutes *(with corrections as noted by the Clerk of the Board)*
- b. Designation and Disposal of Surplus Equipment

(vote was taken by roll call)

Ayes: Board Members – Wentworth, Griffith, Totheroh, Kingsley, Hames, Stump, Corless

Noes: 0

Abstain: 0

Absent: Board Member – Johnston

Motion carried 7/0 and so ordered.

B/O #171109-03

Agenda Item #4
Designation of
Nature's Image as a
Sole Source
Provider for
Services in the
Keeler Dunes
Project and
Approval of
Contract for an
Amount not to
Exceed
\$1,146,002.80 with
Nature's Image for
Work through June
2019 (Action)

Discussion between the Board and staff ensued. It was noted that legal counsel was not consulted regarding this item as staff has reviewed the District policy (*Rule 1101, Section 3.3 Sole Source Determination*) and it was determined that if the Board makes one of three findings (*availability, required specifications or experience*), and specifically declares a sole source provider, then the Board can move forward and enter into a contract.

Motion (Kingsley/Stump) taking the following actions:

1. Designation of Nature's Image of Lake Forest, California as a sole source provider for project operation and management services for the Keeler Dunes Dust Control Project based on availability and experience per the District's purchasing policy, section 3.3 (Sole Source Determination)
2. Approving the presented contract with Nature's Image of Lake Forest, California for project operation and management services for the Keeler Dunes Dust Control Project for an amount not to exceed \$1,146,002.80 for a term from November 9, 2017 to June 30, 2019 with the funds for the work to come from the Keeler Dune project budget

(vote was taken by roll call)

Ayes: Board Members – Wentworth, Griffith, Totheroh, Kingsley, Hames, Stump, Corless

Noes: 0

Abstain: 0

Absent: Board Member – Johnston

Motion carried 7/0 and so ordered.

B/O #171109-04

Agenda Item #5
Summary of 2017
Wildfire Smoke
Impacts
(No Action)

A brief presentation was given by Ms. Kimberly Mitchell, Research and Systems Analyst. Some of the points covered included:

- The District responded to smoke issues in the following ways: maintained a webpage dedicated to smoke impacts; issued health advisories based on the Air Pollution Episode Plan, District Rule 701; deployed emergency monitors as a part of the Emergency Air Quality Monitoring Program; worked alongside Air Resources Advisors from the Wildland Fire Air Quality Response Program; maintained particulate matter (PM) data to utilize for planning efforts and documentation
- Between June 1, 2017 and October 15, 2017, 34 fires were tracked
- There are 231 Smoke Alert email subscribers.
(*sign up at:* <http://www.gbuapcd.org/healthadvisory/HealthAdvisorySignUp.php>)
- Emergency Air Quality Monitoring Program sites included: Coso Junction (Schaffer Fire), Antelope Valley (between Coleville and Walker) (Detwiler Fire), Woodfords (multiple fires); Lee Vining (multiple fires), Bridgeport (multiple fires)
- Air Quality Summary Reports can be found on GBUAPCD's website or at www.wildlandfiresmoke.net

A break was taken at 11:18 am.

The meeting resumed at 11:25 am.

Agenda Item #6
Informational Items
(No Action)

APCO Kiddoo noted that in the Travel Report (item 6a) the Owens Lake Cultural Resource Task Force *plus* trip was postponed and rescheduled for November 21, 2017. He then gave a brief summary of item 6a.i, "Making Sense of Sensors Conference", as outlined in the Board Report.

Agenda Item #7
Board Member
Reports
(No Action)

Board Vice Chair Griffith reported that he toured Owens Lake with APCO Kiddoo in October.

Board alternate Corless reported that Board member Johnston is recovering from treatment in Mammoth and she encourages people to visit him.

Board member Stump commented that being involved with the Sustainable Groundwater Management Act and looking at the activities here, there are still some significant silos that could be created by action in one venue that could create a complication in another which is not an issue that we can resolve. He then encouraged everyone to keep monitoring what is going on in the water side and how it might affect things. The Owens Dry Lake is a perfect example of a water issues that wasn't addressed and became an air issue.

APCO Kiddoo replied that the District does have a secondary source rule which is to protect us from deteriorate air quality based on secondary projects, groundwater would be an example of that.

Board Chair Wentworth reported that the Town of Mammoth Lakes was awarded a grant from a group called Headwaters Economics out of Montana that is part of a number of efforts to connect the dots of our region and the larger agencies of California and how we play a meaningful role in climate change and bridging the gap between the state of California and the federal government specifically regarding federal land and cap and trade funds.

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

APCO Kiddoo reported to the Board on the following topics:

- 1) **New Hire:** Introduction of Mr. Lajos Kurucz, the District's new Air Monitoring Technician II will take place at the January meeting.
- 2) **Lee Vining Monitoring Site:** funding was approved at the last Board meeting. The site is now prepped, and electrical line is at the location to be hooked up to the monitor. The fence is installed, and the concrete foundation will be poured early next week.
- 3) **Phase 9/10 Project at Owens Lake:** The project is almost complete for the most part. The deadline for all infrastructure is December 31, 2017. There are some loose ends being resolved as the project comes to completion.
- 4) **The District's Activities in Pursuit of Nominating Owens Lake as an Archaeological District and Development of a Management Plan:** Since the September Board meeting, staff attended the Inyo County Board of Supervisors meeting where they had a workshop and the Inyo County Planning Department had an agenda item to act as an informational piece for the board and for the public. Staff also met with the Big Pine Paiute Tribal Council and were able to get on the Council's agenda and present what staff has been doing regarding the nomination. Staff asked the tribal Council to direct their staff to engage with the District to develop new dust control technologies, to develop ways to achieve air quality goals while also protecting cultural resources. The next goal for District staff is to meet with four other tribal councils that have a vested interest and previous participation with the Cultural Resource Task Force.

Agenda Item #9
Confirm Date and
Location of Next
Regular Meeting
(January 11, 2018,
in Inyo County)
(No Action)

The next regular meeting of the District Governing Board will convene at 10:00 am on January 11, 2018 in Independence, 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,
#11, #12**
CLOSED
SESSION

The Board convened into closed session at 11:41 am.

- 10) CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** Antelope Valley Resource Conservation District; pursuant California Government Code §54956.9 (d)(4).
- 11) CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION –** City of Los Angeles v. Great Basin Unified Air Pollution Control District, et al., Superior Court of the State of California, County of Sacramento, Case No. 34-2013-80001451-CU-WM-GDS, Interpretation of 2014 Stipulated Judgment Recital BB, Paragraphs 2, 3, 9, District 2013 Stipulated Order of Abatement, and District Board Order #160413-01, pursuant California Government Code §54956.9 (d)(4).
- 12) CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
- 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.

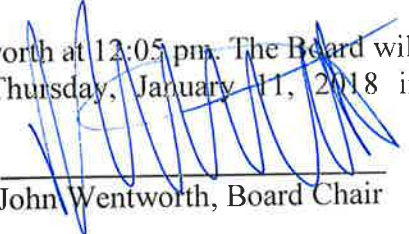
The Board reconvened into open session at 12:05 pm. Board Chair Wentworth reported on the items as follows:

Regarding Closed Session Item No 10, APCO Kiddoo reported that on September 19, 2017 the Settlement Agreement between the Great Basin Unified Air Pollution Control District and the Antelope Valley Resource Conservation was executed and entered upon receiving the settlement payment of \$35,000.00 on November 2, 2017. The Settlement Agreement was then fulfilled, complete and resolved.

Regarding Closed Session Item No.’s 11 through 12: Nothing reported.

Adjournment

The meeting was adjourned by Board Chair Wentworth at 12:05 pm. The Board will reconvene in open session at 10:00 am, on Thursday, January 11, 2018 in Independence, California.


 John Wentworth, Board Chair

Attest:


 Tori DeHaven, Board Clerk