

# GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT



## GOVERNING BOARD REGULAR MEETING INFORMATION

### Meeting Date & Time

Thursday, January 11, 2018 at 10:00 a.m.

### Meeting Location

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

### District Board

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

Phillip L. Kiddoo, Air Pollution Control Officer  
157 Short Street, Bishop, California 93514  
(760) 872-8211 E-mail: [pkiddoo@gbuapcd.org](mailto:pkiddoo@gbuapcd.org)



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 www.gbuapcd.org

### GOVERNING BOARD REGULAR MEETING AGENDA

**THURSDAY, JANUARY 11, 2018 AT 10:00 AM**

**Inyo County Administrative Center**

**Board of Supervisors Chamber**

**224 North Edwards Street (U.S. Highway 395)**

**Independence, California 93526**

**Assistance for those with disabilities:** If you have a disability and need accommodation to participate in the meeting, please call Tori DeHaven, Board Clerk, at (760) 872-8211 for assistance so the necessary arrangements can be made.

*Great Basin Unified Air Pollution Control District is a California regional government agency that works to protect the people and the environment of Alpine, Mono and Inyo Counties from the harmful effects of air pollution.*

1. Call to Order and Pledge of Allegiance
2. Public Comment on Matters Not on the Agenda (No Action)
3. Consent Items (Action)
  - a. Approval of the November 9, 2017 Regular Governing Board Meeting Minutes .....1
  - b. Correction of Funding Sources for Ramboll Environ Contract Originally Approved by the Board on May 11, 2017 to Reflect District Funding of \$30,000 for Town of Mammoth Lakes PM<sub>10</sub> Maintenance Plan Progress Report .....7
  - c. Resolution of the Governing Board Declaring that Governing Body Members and Volunteers Shall be Deemed to be Employees of the District for the Purpose of Providing Workers' Compensation Coverage for Said Certain Individuals While Providing Their Services .....9
4. Approval of Monitoring and Avoidance of Phase 9/10b Cultural Resource Areas at Owens Lake (Action) .....13
5. Approval of Proposed 2018 District Rule and Policy Adoption Schedule (Action) .....30
6. Approval of the Triennial Progress Report for the Town of Mammoth Lakes Air Quality Management Plan (Action) .....32
7. Informational Items (No Action)
  - a. Travel Report .....52
    - i. Air Quality Measurement Methods and Technology Conference .....53
  - b. California Special District Association's (CSDA's) Special District Board Member/Trustee Handbook .....54
  - c. Contracts Signed by the Air Pollution Control Officer .....70

8. Board Member Reports (No Action)
9. Air Pollution Control Officer Report (No Action) .....71
10. Confirm Date and Location of Next Regular Meeting (March 8, 2018, in Keeler) .....72
11. **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.
12. **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).**
13. Adjournment

(All Meetings Are Electronically Recorded – All public records relating to an agenda item on this agenda are available for public inspection at the time the record is distributed to all, or a majority of all, members of the Board. Such records shall be available at the District office located at 157 Short Street, Bishop, California.)

\*\*\*\*\*



## **GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT**

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 Fax: 760-872-6109

### **BOARD REPORT**

**Mtg. Date:** January 11, 2018

**To:** District Governing Board

**From:** Tori DeHaven, Clerk of the Board

**Subject:** Approval of the November 9, 2017 Regular Governing Board Meeting Minutes

---

**Summary:**

Attached for the Board's approval are the minutes from the November 9, 2017 regular meeting held in Mammoth Lakes, California.

**Board Action:**

Staff recommends that the Board review and approve the minutes from the November 9, 2017 meeting.

**Attachment:**

1. November 9, 2017 minutes

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**  
Call to Order  
Pledge of  
Allegiance

Board Chair Wentworth called to order the regular meeting of the Governing Board at 10:01 a.m.

Board member Kingsley then led the Pledge of Allegiance.

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

Board Chair Wentworth asked for public comment on items not on the agenda at 10:03 am.

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](http://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



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537  
Tel: 760-872-8211 Fax: 760-872-6109

### BOARD REPORT

**Mtg. Date:** January 11, 2018

**To:** District Governing Board

**From:** Susan Cash, Administrative Projects Manager

**Subject:** Correction of Funding Sources for Ramboll Environ Contract Originally Approved by the Board on May 11, 2017 to Reflect District Funding of \$30,000 for Town of Mammoth Lakes PM10 Maintenance Plan Progress Report

---

#### **Summary:**

Staff recently discovered that the board report dated May 11, 2017, requesting approval of the Ramboll Environ contract for fiscal year 2017-2018, contained an error in the stated funding of the contract. The May 2017 item stated that the total contract (\$280,000) was to be paid from SB 270 funds when in fact the contract has been budgeted appropriately as \$250,000 from SB 270 for air quality modeling at Owens and Mono Lakes, and \$30,000 from District funds to complete an emissions inventory for the Town of Mammoth Lakes PM10 Air Quality Maintenance Plan triennial progress report.

The total contract amount was amended on November 15, 2017, when the Air Pollution Control Officer executed a contract amendment to add an additional task for hydrologic evaluation services, under SB270 funds, and increased the total contract by \$25,000 to \$305,000. This increase was within the APCO's authority and is covered in Agenda Item No. 7 of this Board Packet.

#### **Fiscal Impact:**

The corrected funding allocation of \$30,000 from District funds in the Ramboll Environ contract, as outlined above, is how the funding was anticipated in the Board-approved budget. The allocation between budgets needs to be changed to appropriately match the tasks and the budget.

#### **Board Action:**

Staff requests that the Board approve the corrected funding sources for the fiscal year 2017-2018 contract.

#### **Attachment:**

1. May 11, 2017 Agenda Item 4e, Page 1 with error highlighted

Consent Agenda (Action) – Correction of Funding Sources for Ramboll Environ Contract Originally Approved by the Board on May 11, 2017 to Reflect District Funding of \$30,000 for Town of Mammoth Lakes PM<sub>10</sub> Maintenance Plan Progress Report  
January 11, 2018 – Agenda Item No. 3b – Page 1



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 Fax: 760-872-6109

### BOARD REPORT

**Mtg. Date:** May 11, 2017

**To:** District Governing Board

**From:** Susan Cash, Administrative Projects Manager

**Subject:** Approval of budgeted consultant and service contracts for fiscal year 2017-18

---

The District's total budget for FY 2017-18 contains funds for consulting and service contracts. At this time, staff requests that the Board approve the following budgeted contracts and authorize the Board Chair or the Air Pollution Control Officer to execute the agreements. The contracts will be effective July 1, 2017 and are proportionally dependent on payment of the SB 270 fee for the 2017-18 fiscal year. To save paper, only the contract cover sheets, the scopes of work and fee schedules are attached. Full copies of the contracts are available upon request and will also be available for review at the Board meeting.

#### Contracts to be approved:

- 1) Desert Research Institute (DRI) for Consultation Services. The District will be working with experts at DRI on one task during the 2017-18 fiscal year. Task 1 involves professional services related to determining regulatory compliance of shallow flooding, managed vegetation, hybrid, brine, and tillage with BACM backup dust control measures on Owens Lake using remote sensing methods. The total amount budgeted for this task is \$210,000 (SB 270).
- 2) Ramboll Environ International Corporation for Air Quality Modeling – The District has retained the services of Mr. Ken Richmond to conduct Owens and Mono Lake air quality modeling since the 1990's. Mr. Richmond leads a team of scientists for Ramboll Environ International. The proposed assessment includes \$280,000 (SB 270) for Ramboll to assist the District with the preparation and review of particulate matter air quality modeling at Owens and Mono Lakes and to assist the District with the preparation and review of PM10 maintenance plan progress reports for the Town of Mammoth Lakes. Air quality modeling is used to help identify areas that cause or contribute to air quality violations at Owens and Mono Lake and is required as part of the Owens Lake Dust ID Program pursuant to District Board Order #080128-01 and the 2014 Stipulated Judgment.

Consent Agenda (Action) - Approve Consulting and Service Contracts for Fiscal Year 2017-2018 (Effective July 1, 2017)  
May 11, 2017 – Agenda Item No. 4e – Page 1



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537  
Tel: 760-872-8211 Fax: 760-872-6109

### BOARD REPORT

**Mtg. Date:** January 11, 2018

**To:** District Governing Board

**From:** Susan Cash, Administrative Projects Manager

**Subject:** Resolution of the Governing Board Declaring that Governing Body Members and Volunteers Shall be Deemed to be Employees of the District for the Purpose of Providing Workers' Compensation Coverage for Said Certain Individuals While Providing Their Services

---

#### **Summary:**

The District purchases Workers' Compensation through the Special District Risk Management Authority (SDRMA). SDRMA was recently notified by their excess insurance carrier that members such as the District would need to pass a new resolution if they (the members) wished to continue covering their Governing Body members and/or volunteers.

#### **Fiscal Impact:**

The District already names and covers Governing Board and Hearing Board members as employees on its Workers' Compensation policy, and those minimal costs are budgeted yearly. This will allow that recommended practice to continue unchanged; therefore, no new fiscal impact is foreseen.

#### **Board Action:**

Staff recommends that the Governing Board adopt the attached Resolution.

#### Attachments:

1. Letter from SDRMA
2. Proposed Resolution 2018-01

November 30, 2017

Mr. Phillip Kiddoo  
Air Pollution Control Officer  
Great Basin Unified Air Pollution Control District  
157 Short Street  
Bishop, California 93514-3537



**Re: Workers' Compensation Resolution for Governing Body Member and/or Volunteer Coverage**

Dear Mr. Kiddoo,

Recently our excess carrier has made us aware that SDRMA Workers' Compensation (WC) members need to pass a **new Resolution** if they would like to continue (or start) covering their Governing Body members and/or volunteers.

Section 3363.5 of the California Labor Code provides that a person who performs voluntary service for a public agency as designated and authorized by the Governing Body of the agency or its designee, shall, upon adoption of a Resolution by the Governing Body of the agency so declaring, be deemed to be an employee for workers' compensation purposes. Thus, if such a resolution is adopted, and the volunteer is injured while performing duties for the agency, the volunteer is entitled to receive workers' compensation benefits and their exclusive remedy for recovery against the agency is through the Workers' Compensation system.

Such Governing Body members and/or volunteers may be covered for workers' compensation benefits only if a Resolution to that effect is adopted by the Governing Body pursuant to Labor Code § 3363.5 and a copy of the Resolution is filed with SDRMA.

A new Resolution (see attached) has been created by our coverage counsel. The Resolution permits your Governing Body to designate the various categories of persons who the agency desires to "deem" to be employees for purposes of workers' compensation. It declares, on a blanket basis, that the designated categories of volunteers are deemed employees and those categories consist of Governing Body Members, persons performing voluntary service, persons on work study, interns, and other volunteers. In addition, those so designated persons also need to be listed under our Workers' Compensation Program (which includes paying an annual contribution amount) to enable coverage.

When using the sample Resolution provided, please do not make any changes other than the areas highlighted in yellow. **To ensure accurate and timely implementation of your Resolution, please return your Governing Body approved Workers' Compensation Resolution as soon as possible by fax or email.** A Microsoft Word version of the sample Resolution can be downloaded at <http://www.sdrma.org/program-coverages/workers-compensation-program>. If your agency has any questions please contact Ellen Doughty, Chief Member Services Officer, at 800.537.7790 or [edoughty@sdrrma.org](mailto:edoughty@sdrrma.org).

Sincerely,  
Special District Risk Management Authority

  
Gregory S. Hall, ARM  
Chief Executive Officer

Enclosures: Sample Resolution for Covering Governing Body and/or Volunteers

RESOLUTION No. 2018-01

RESOLUTION OF THE GOVERNING BODY OF  
THE GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT,  
DECLARING THAT GOVERNING BODY MEMEBERS AND VOLUNTEERS SHALL  
BE DEEMED TO BE EMPLOYEES OF THE DISTRICT FOR THE PURPOSE OF  
PROVIDING WORKERS' COMPENSATION COVERAGE FOR SAID CERTAIN  
INDIVIDUALS WHILE PROVIDING THEIR SERVICES

---

**WHEREAS,** the Great Basin Unified Air Pollution Control Board utilizes the services of the Governing Body members and Volunteers; and

**WHEREAS,** Section 3363.5 of the California Labor Code provides that a person who performs voluntary service for a public agency as designated an authorized by the Governing Body of the agency or its designee, shall, upon adoption of a resolution by the Governing Body of the agency so declaring, be deemed to be an employee of the agency for the purpose of Division 4 of said Labor Code while performing such services; and

**WHEREAS,** the Governing Body wishes to extend Workers' Compensation coverage as provided by State law to the following designated categories of persons as indicated by a checkmark in the box to the left of the descriptions:

- ☒ All members of the Governing Body of the Great Basin Unified Air Pollution Control District as presently or hereafter constituted and/or
- ☒ All persons performing voluntary services without pay other than meals, transportation, lodging or reimbursement for incidental expenses
- ☒ Individuals on Work-study programs
- ☒ Interns
- ☒ Other Volunteers
- ☐ \_\_\_\_\_  
[designate]

**NOW, THEREFORE, BE IT RESOLVED,** that such persons coming within the categories specified above, including the duly elected or appointed replacements of any Governing Body Member and other designated individuals be deemed to be employees of the Great Basin Unified Air Pollution Control District for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such service. However, said Governing Body Members and other designated individuals will not be considered and employee of the Great Basin Unified Air Pollution Control District for any purpose other than for such Workers' Compensation coverage, nor grant nor enlarge upon any other right, duty, or responsibility of such Governing Body Members or other designated individuals, nor allow such persons to claim any other benefits or rights given to paid employees of the Great Basin Unified Air Pollution Control District.

**PASSED, APPROVED AND ADOPTED** this January 11, 2018 by the following vote:

AYES:

NOES:

ABSENT:

---

John Wentworth, Chairperson  
Great Basin Unified Air Pollution Control District

---

APPROVED AS TO FORM:



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211

### BOARD REPORT

**Mtg. Date:** January 11, 2018

**To:** District Governing Board

**From:** Phillip L. Kiddoo, Air Pollution Control Officer

**Subject:** Approval of Monitoring and Avoidance of Phase 9/10b Cultural Resource Areas at Owens Lake

---

#### **Background**

On December 7, 2015, the Great Basin Unified Air Pollution Control District (District) Governing Board (Board) authorized the Board Chair to sign a letter regarding Approval of Monitoring and Mitigation of Phase 7b Cultural Resource Areas at Owens Lake (Attachment 1). For further background prior to Phase 9/10, please refer to December 7, 2015, Regular Meeting Agenda Item #4 Board report (Attachment 2). To date, there have been no subsequent District Board Orders determining PM10 controls are required in the Phase 7b areas in order to attain the National Ambient Air Quality Standard (NAAQS) and California Ambient Air Quality Standard (CAAQS).

#### **Summary**

The District and City of Los Angeles Department of Water and Power (City) acknowledged in the 2014 Stipulated Judgment the need to balance the requirements to control dust emissions and conserve water with the requirements to minimize impacts to cultural and biological resources. Both parties stipulated that the protection and mitigation of these resources shall be incorporated to the extent feasible as required by law into the design of dust control areas. Phase 9/10b areas are exceptions to Phase 9/10 requirements for the City to have Best Available Control Measures (BACM) installed by December 31, 2017. As detailed in District Board Order #160413-01, Paragraph 3.B. - Phase 9/10 Project to Implement 2011 and 2012 Supplemental Control Requirement Determinations, *The City of Los Angeles Department of Water and Power (City) may submit an application to the District's Air Pollution Control Officer (APCO) to approve modifications to the City's proposed Phase 9/10 project or measures on certain areas that are determined to contain significant cultural resources. The District shall consider and decide the City's application under the procedures contained in the 2013 Stipulated Abatement Order #130819-01.*

Cultural resource areas in Phase 9/10 meeting California Register of Historic Resources eligibility per District Board Order #160413-01, Paragraph 3.B. (Eligible Areas), have been placed under the purview of the Cultural Resource Task Force (CRTF). On September 20, 2017, the CRTF released the Tribes' Initial and Interim Recommendations on Best Way to Balance

Cultural Resource Protection and Dust Control For Sensitive Areas in Phase 9/10b, Proposed Final Version, Pending Tribe's Final Approval (Attachment 3). All areas detailed in the Tribal Recommendations were recommended for avoidance.

### **Discussion**

On December 1, 2017, the District received, from the City, an Application for Removal of Avoidance Areas from the District Board Order No. 160413-01, Owens Lake Dust Mitigation Program – Phase 9/10 Project. Content of the application included additional Eligible Areas to those already accepted by the APCO on April 15, 2015 (nine areas) and May 22, 2015 (4 areas) following the procedures of Board Order #160413-01, Paragraph 3.B., for removal from the City's Phase 9/10 project. The District accepts the additional five Eligible Areas in the City's December 1, 2017 application. The application also contained additional requests for removal of areas that are incompatible with existing law and cannot be removed from District Board Order #160413-01.

In order to move efforts forward to determine the most appropriate action to protect cultural resources and air quality, the District is proposing to accept the Tribes' Initial and Interim Recommendations of Phase 9/10b sites for Eligible Areas meeting California Register of Historic Resources eligibility per District Board Order #160413-01, Paragraph 3.B.

The District Board will decide at a later date whether PM10 controls are required in the Phase 9/10b areas in order to attain and maintain the NAAQS and CAAQS after following the process described in District Board Order # 160413-01, and if necessary, will issue a separate Board Order(s) for controls in these areas.

As resolved by the Governing Board (Resolution 2017-01) the District continues working on the nomination of Owens Lake as an archaeological district to the National Register of Historic Places and development of a corresponding management plan. The APCO and staff continue to lead the nomination in collaboration with Cultural Resources Task Force participants to develop any necessary agreements and plans in order to protect cultural resources and prevent delays in dust control implementation.

### **Board Action**

Staff recommends:

1. Governing Board authorize Board Chair to sign letter (Attachment 4) regarding Approval of Monitoring and Avoidance of Phase 9/10b Cultural Resource Areas at Owens Lake.

## Attachments

1. Approval of Monitoring and Mitigation of Phase 9/10b Cultural Resource Areas at Owens Lake letter, dated December 7, 2015, signed by the District Governing Board Chair
2. December 7, 2015 Governing Board Meeting Staff Report from Phillip L. Kiddoo, Approval of Monitoring and Mitigation of Phase 7b Cultural Resource Areas at Owens Lake
3. Tribes' Initial and Interim Recommendations on Best Way to Balance Cultural Resource Protection and Dust Control For Sensitive Areas in Phase 9/10b
4. Approval of Monitoring and Avoidance of Phase 9/10b Cultural Resource Areas at Owens Lake letter, dated January 11, 2017, to be signed by the District Governing Board Chair.



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537  
760-872-8211 Fax: 760-872-6109

December 7, 2015

Marcie Edwards  
General Manager  
Los Angeles Department of Water & Power  
Box 51111  
111 N. Hope Street  
Los Angeles, California 90012-2607

### **RE: Approval of Monitoring and Mitigation of Phase 7b Cultural Resource Areas at Owens Lake**

Dear Ms. Edwards:

The Great Basin Unified Air Pollution Control District reviewed the recommendations of the Cultural Resource Task Force (CRTF) and the City of Los Angeles regarding the treatment of environmentally sensitive areas at Owens Lake that were identified for dust mitigation. (LADWP letter dated March 12, 2015) We appreciate the cooperation of the City on the task force and dealing with this matter in a manner that is both considerate of the need to protect cultural resources at Owens Lake and to protect the public from the harmful effects of dust from the exposed lakebed. For reference, the requirements for the CRTF can be found in the 2013 Settlement Agreement (Section I.c.) between the City of Los Angeles and the Great Basin Unified Air Pollution Control District available at the following link [http://gbuapcd.org/owenslake/Phase7a/MSOA/BoardOrder\\_130819-01\\_Final\\_SettlementAgreement\\_Signed.pdf](http://gbuapcd.org/owenslake/Phase7a/MSOA/BoardOrder_130819-01_Final_SettlementAgreement_Signed.pdf).

In order to move our efforts forward to determine the most-appropriate action to protect cultural resources and air quality, the District has accepted the recommendations of the Tribes and the City for the four Phase 7b sites; [REDACTED] and [REDACTED] as follows:

1. **Monitoring.** Initiate monitoring in the Phase 7b areas to determine if dust controls in adjacent areas or the unclogging of the Dearborn Spring has sufficiently mitigated PM10 exceedances caused by dust generated from the Phase 7b areas. Monitoring shall commence by or before January 1, 2016 as recommended by the CRTF monitoring committee, which includes monitoring of ambient PM10, sand flux, groundwater and surface changes (e.g. mechanical disturbance, vegetation growth, and crusting). As per the 2013 Settlement Agreement the City shall be responsible for paying the CRTF's reasonable costs, including reimbursement of CRTF members for reasonable travel expenses. Monitoring efforts will continue until the District determines that the area is no longer an active dust source area.
2. **Unclog Dearborn Spring.** In the manner recommended by the City, Dearborn Spring will be unclogged in order to allow water to flow onto the lake bed. This effort is anticipated to take six

months and shall be completed by June 30, 2016. The City will monitor spring flows, groundwater and vegetation growth in this area, and the District will reassess the monitoring and mitigation plan for the [REDACTED] area after one year of monitoring following the date of completion of activities to unclog the spring.

3. Dust Mitigation. If the District determines that PM10 exceedances are caused by dust from the Phase 7b areas after completion of dust controls in the adjacent areas, the District Board will issue a new order for the City to implement BACM dust controls, which may include the measures recommended by the Tribes, or new BACM measures that are considerate of the environmental sensitivity of these areas, the need to protect air quality, and the need to conserve water resources.

Thank you for your agency's cooperation in dealing with this matter. We look forward to working with your staff to implement these tasks.

Sincerely,



Matt Kingsley  
Chairman  
Great Basin Unified Air Pollution Control District Board

cc: Mary Wuester, Lone Pine Paiute-Shoshone Reservation  
Kathy Jefferson-Bancroft, Lone Pine Paiute-Shoshone Reservation  
Mel Joseph, Lone Pine Paiute-Shoshone Reservation  
April Zrelak, Lone Pine Paiute-Shoshone Reservation  
Jeremiah Joseph, Lone Pine Paiute-Shoshone Reservation  
Wendy Stine, Fort Independence Indian Reservation  
Stephanie Arman, Fort Independence Indian Reservation  
Genevieve Jones, Big Pine Paiute Tribe of the Owens Valley  
Sally Manning, Big Pine Paiute Tribe of the Owens Valley  
Danelle Bacoch-Gutierrez, Big Pine Paiute Tribe of the Owens Valley  
George Gholson, Timbisha Shoshone Tribe  
Barbara Durham, Timbisha Shoshone Tribe  
Pam Griggs, California State Lands Commission  
Grace Kato, California State Lands Commission  
Drew Simpkin, California State Lands Commission  
Brendon Greenaway, Office of Historic Preservation  
Terrie Robinson, Native American Heritage Commission  
Greg Haverstock, BLM – Bishop Field Office  
Donald Storm, BLM – Ridgecrest Field Office  
Milad Taghavi, Los Angeles Department of Water & Power  
Nelson Mejia, Los Angeles Department of Water & Power



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211

### BOARD REPORT

**Mtg. Date:** December 7, 2015

**To:** District Governing Board

**From:** Phillip L. Kiddoo, APCO

**Subject:** Approval of Monitoring and Mitigation of Phase 7b Cultural Resource Areas at Owens Lake

---

#### **Background**

In 2005 the Great Basin Unified Air Pollution Control District (District) identified dust sources outside of the previously 29.8 square miles required by the 2003 State Implementation Plan (SIP) with the Owens Lake Dust ID Program based on data collected from July 2002 through June 2004. This triggered further requirements for the Los Angeles Department of Water and Power (LADWP) to implement additional dust control measures (DCMs) per the 2005 Supplemental Control Requirements Determination (2005 SCRD). The 2006 Settlement Agreement (2006 SA) reached by both parties resolving the 2005 SCRD dispute, required the LADWP to construct 12.7 additional square miles of DCMs by April 1, 2010. These areas were incorporated into the District's 2008 SIP, adopted by Governing Board Order No. 080128-01 and scheduled to be constructed and operational upon completion of LADWP's Phase 7 Project. On September 25, 2009 LADWP was granted a variance from Order 080128-01 for areas unable to meet the Phase 7 Project deadline. On March 17, 2011 the District Governing Board adopted a Stipulated Order for Abatement (2011 SOA) directing the City of Los Angeles to implement 3.1 square miles known as the "Phase 7a" project. On August 19, 2013 the Governing Board adopted a modified Stipulated Abatement Order (2013 SOA) where special consideration was given for cultural resource areas (CRAs) and removed from the 2011 SOA and incorporated into a new Phase 7b. On May 5, 2014 the Governing Board adopted Order No. 140505-05 modifying the 2013 SOA by transferring an additional 63 acres from Phase 7a into Phase 7b.

#### **Discussion**

Phase 7b areas are exceptions to Phase 7a requirements for LADWP to have Best Available Control Measures (BACM) installed by December 31, 2015. Phase 7b sites are placed under the purview of the Cultural Resource Task Force (CRTF) and on December 2, 2014 the CRTF released the Tribes' Recommendation on Best Way to Balance Cultural Resource Protection and Dust Control for Phase 7b Sites. In order to move efforts forward to determine the most appropriate action to protect cultural resources and air quality, the District has accepted the recommendations of the Tribes and the LADWP for the four Phase 7b sites. The District Board will decide at a later date whether PM10 controls are required in the Phase 7b areas in order to

Approval of Monitoring and Mitigation of Phase 7b Cultural Resource Areas at Owens Lake  
December 7, 2015 – Agenda Item No. 4 – Page 1

attain and maintain the National Ambient Air Quality Standard (NAAQS) and State Standard after following the process described in Board Order No. 130916-01, and if necessary will issue a separate Board Order(s) for controls in these areas.

### **Board Action**

Staff recommends:

1. Governing Board authorize Chairman to sign letter regarding Approval of Monitoring and Mitigation of Phase 7b Cultural Resource Areas at Owens Lake.

### **Attachments**

Approval of Monitoring and Mitigation of Phase 7b Cultural Resource Areas at Owens Lake letter, dated December 7, 2015, to be signed by the District Governing Board Chairman.

Letter dated March 12, 2015:

LADWP's Input Regarding the Cultural Resource Task Force Non-Binding Recommendation for Treatment of the Four Dust Control Areas.

Letter dated December 18, 2014:

Big Pine Tribe of the Owens Valley approval of CRTFs Recommendation of Best Way to Balance Cultural Resource Protection and Dust Control for Four Phase 7.B. Sites.

Letter dated December 15, 2014:

Fort Independence Indian Reservation approval of CRTFs Recommendation of Best Way to Balance Cultural Resource Protection and Dust Control for Phase 7.B. Sites.

Letter dated January 30, 2015:

Lone Pine Piute Shoshone Reservation approval of CRTFs Recommendation of Best Way to Balance Cultural Resource Protection and Dust Control for Phase 7.B. Sites.

Letter dated January 12, 2015:

Timbisha Shoshone Tribe of Death Valley California approval of CRTFs Recommendation of Best Way to Balance Cultural Resource Protection and Dust Control for Phase 7.B. Sites.

Cultural Resources Task Force Tribes' December 2, 2014 Recommendation on Best Way to Balance Cultural Resource Protection and Dust Control for Phase 7.B. Sites.

Approval of Monitoring and Mitigation of Phase 7b Cultural Resource Areas at Owens Lake  
December 7, 2015 – Agenda Item No. 4 – Page 2

**TRIBES' INITIAL AND INTERIM RECOMMENDATION ON BEST WAY TO  
BALANCE CULTURAL RESOURCE PROTECTION AND DUST CONTROL**

**FOR SENSITIVE AREAS IN PHASE 9/10b**

**Proposed Final Version**

**(Pending Tribes' Final Approval)**

This recommendation should be considered draft until approved by relevant Tribal Councils. Several of the "Phase 9/10b" sensitive areas discussed below are the same ones that were the subject of our "Phase 7" recommendation. We do not wish to alter these recommendations. The designation of these sensitive locations as different sites in Phase 7 and Phase 9/10b is arbitrary, as is dividing them up because a road has been constructed through a single special location. This fragmentation doesn't reflect the true nature of these sites. It is as though the branches of one living tree have been categorized as belonging to different sites, depending on which direction the branches grow and where the shade they cast falls. Instead, as you will see below, we have grouped the nine sensitive locations into clusters and given the clusters place-based Paiute names to reflect their true character; to help others understand our logic, we cross-reference LADWP numerical designations under those names.

**I. OVER-ARCHING RECOMMENDATIONS**

Representatives of the Lone Pine Paiute Shoshone Tribe, Fort Independence Tribe, Timbisha Shoshone Tribe, and the Big Pine Paiute Tribe of the Owens Valley, which are part of the Cultural Resources Task Force (CRTF), are very concerned about the ground disturbances that have been occurring on Owens Lake during the dust control project. The construction teams seem to be using insufficient maps that do not reflect knowledge of the terrain, vegetation, and cultural resources. They have breached buffers established to protect sensitive resources. In some areas, construction has been designed in a manner that almost makes it obvious to casual passersby where sensitive sites are located. Many artifacts have been removed and stored in locations unknown to area tribes. Tribes have not had input into many of the plans and guidelines that inform construction activities. The Owens Lake needs to be considered as a whole and evaluated as an Archaeological District and as a Traditional Cultural Property (TCP). Many of these problems that have arisen would be corrected if archaeologists could take into consideration that this lake was a thriving environment and community, not just a very large collection of individual locations. Based on these concerns, we have the following over-arching recommendations:

**OVER-ARCHING RECOMMENDATION A:** Upon discovery, any collected isolates and artifacts should be stored at Lone Pine Paiute-Shoshone Reservation Cultural Center, with the aim of returning these items to the lake when possible. The Cultural Center is available for documentation; where possible, we would like it to

occur there. Further, we would like an inventory prepared of where all isolates and artifacts removed from Owens Lake currently reside. We would like all these items to be returned to area tribes.

**OVER-ARCHING RECOMMENDATION B:** Ensure that construction crews have accurate maps and adhere to established plans and chains of command such as those contained in the “MMRP” and in “Field Protocols for Construction Crew, Cultural Resource Monitors and Native American Monitors” (See, in particular, the sections of the Field Protocols entitled “Items Required in the Field,” “New Discoveries,” “Communication,” and “Safety.” Buffers around sensitive sites should be marked in a way that is readily recognizable to the crews without drawing the attention of casual passersby. Wherever dust control measures are undertaken on the lake bed adjacent to sensitive sites, protective measures need to be implemented to prevent the public from disturbing culturally sensitive areas. The border between the treated and avoided areas should be blended to match the natural, or surrounding, landscape in a way that does not draw attention to this boundary. (For example, berm roads should not end at sensitive sites.)

**OVER-ARCHING RECOMMENDATION C:** Work closely with Tribal Historic Preservation Officers in implementing dust control activities. Hold CRTF meetings at least quarterly. Create a mechanism for quickly convening field-based problem-solving meetings that include tribal representatives (e.g., as part of the “Late Discoveries Evaluation Plan”). Such meetings should be convened on an as-needed basis

**OVER-ARCHING RECOMMENDATION D:** Where feasible, ask the “second archaeologist” to review sites deemed “eligible” or “ineligible” if the designation is of concern to tribes participating in the CRTF.

## **II. GEOGRAPHICALLY-BASED RECOMMENDATIONS**

### **A. WEST SHORELINE: Pami Patsiata-wae-tü**

- **Relevant Phase 7 Recommendation -- [REDACTED], which read:** *We recommend “avoidance” for this site. Although we understand that it is emissive and that 11 acres is a large area of land, we also note that it is a small percentage of the pertinent Dust Control Area (11 acres out of 377) that will be mitigated. This is a site where we need to carefully balance compliance with the National Historic Preservation Act, the California Environmental Quality Act, and the Clean Air*

*Act. We believe that if it remains emissive, it is still preferable to destroying the artifacts it contains as long there are no exceedances<sup>1</sup> of the State or National Air Quality Standard. However, this expectation shouldn't occur until after mitigation activities adjacent to the site have been completed and had time to work. If there are still exceedance<sup>2</sup>s of the State or National Air Quality Standard at that point, we recommend reconvening to update our recommendation.*

- **Phase 9/10b Designation: Dust Control Area** [REDACTED] (includes CA-INY-[REDACTED] and CA-INY-[REDACTED], and site [REDACTED] (INY-[REDACTED]), site [REDACTED], and [REDACTED] ([REDACTED])).
- **Additional Comments:** We intend for the above Phase 7 recommendation to encompass the sensitive locations that Los Angeles Department of Water and Power (LADWP) designates as CA-INY-[REDACTED] and CA-INY-[REDACTED]. This adds only a small increment of acreage and does not alter the inherent logic of our original recommendation. These numbers refer to one contiguous site. The different numbers can be thought of as referring to 2 different buildings at one street address. We feel that this area will be properly protected from emissions because there is shallow flooding planned north of this area. This should allow vegetation to grow here.

We also intend for the above recommendation to apply to Sites [REDACTED] and [REDACTED] for the same reasons; they are contiguous with the sites referenced above (CA-INY-[REDACTED] and CA-INY-[REDACTED]), and the same concerns apply. The eligibility analysis for [REDACTED] (INY-[REDACTED]), 0.16 acre in size, incorrectly identifies this site as “historic” rather than “prehistoric”; in addition, this site contains an unevaluated resource outside the Dust Control Area. There is a 100-foot buffer around the resource that extends into the Phase 9/10 DCA. [REDACTED], 2.08 acres in size, has been avoided due to Tribal concerns. Earlier dust controls plans called for building a berm along the western edge, but this was determined to be unnecessary due to the natural rise in elevation on this site. This highly sensitive shoreline is naturally vegetated, and the adjoining shallow flooding will further enhance the vegetation. Dust control is unnecessary here and should be avoided through cooperative efforts between LADWP and GBUAPCD.

In addition, we recommend avoidance for [REDACTED]), which is 2.79 acres in size. This site is an extension of a continuous string of Phase 7b sites. It

<sup>1</sup> Misspelled in document quoted; spelling corrected in this document.

<sup>2</sup> Misspelled in document quoted; spelling corrected in this document.

has been avoided due to Tribal concerns. It has not been formally evaluated for eligibility, as it is a particularly unique site that cannot be evaluated without destroying its integrity. We support undertaking a non-invasive form of evaluation at this location. We strongly recommend dust control avoidance on this site. This area should also be protected under Public Resources Code sections 507.9, 5097.5, 5097.993, 5097.994, and 5097.99, which protect various forms of rock art including cairns. (Sections 5097.9 and 5097.99 do not require eligibility.)

**B. NORTHWEST SHORE: Kwiōi Patsiata- wae-tū**

- **Relevant Phase 7 Recommendation -- [REDACTED], which read:** *This site calls out for the return of water as the best way to protect its cultural resources and avoid dust emissions. This is believed to be the site of a massacre of Native people that is a major part of Owens Valley history. As such, it is an extremely important site to protect from an ethnographic perspective. The default should be to preserve the integrity of the site by refraining from any excavation of the lands and any access to it by heavy equipment. However, we recommend trying a version of shallow flooding, using an approach not on the matrix of dust control methods currently being considered by DWP and/or GBUAPCD – unclogging the spring at the Dearborn Field (west of the site) and allowing that spring to water the site. The intent is to foster natural mitigation for this site by providing water to it and encouraging the return of native vegetation. The Tribes must be closely involved in the work at the spring to ensure it is done without further damage to cultural resources. We do not support use of the shallow flooding methods that are on the matrix for this site because installation of related equipment would be too invasive. If the shallow flooding approach that we have proposed falls short of hoped-for results, we would like to see it re-watered, with recruitment of natural vegetation, if this can be done in other non-intrusive means (no heavy equipment or ground disturbance). Otherwise, we recommend defaulting to “avoid.” Compliance with the National Historic Preservation Act should be given top priority at this site.*
- **Phase 9/10b Designation: Dust Control Area [REDACTED] (includes CA-INY-[REDACTED] and CA-INY-[REDACTED]).**
- **Additional Comments:** We intend for the above Phase 7 recommendation above to encompass the sensitive locations that LADWP designates as CA-INY-[REDACTED] and CA-INY-[REDACTED]. Vegetation is now growing all over this area, and opening the

spring at Dearborn Field should help the whole area even more. No construction activities should occur in these areas.

**C. EAST SHORE Sibi Patsiata- wae-tü**

- **Relevant Phase 7 Recommendation -- [REDACTED], which read:** *We recommend no further construction and dust mitigation activity take place on this site than is already being implemented as part of Phase 7.A. -- i.e., “avoidance.” As advised by GBUAPCD, we understand that taking an “avoidance” approach at this site would be compatible with Clean Air Act compliance because the relevant Dust Control Area will already have been mitigated once current Phase 7.A. activities have been completed.*
- **Phase 9/10b Designation: Dust Control Area [REDACTED] (includes CA-INY [REDACTED], CA-INY-[REDACTED] CA-INY [REDACTED] and CA-INY [REDACTED], and Sites [REDACTED] (CA-INY [REDACTED], [REDACTED] (CA-INY [REDACTED], [REDACTED], [REDACTED] (CA-INY [REDACTED]), [REDACTED] [REDACTED] ( [REDACTED] ), and [REDACTED] ( [REDACTED] ).**
- **Additional Comments:** We intend for the above Phase 7 recommendation above to encompass two additional sets of sensitive locations. The second archaeologist has reviewed and concurred on all of them.
  - Set A consists of sites LADWP designates as CA-INY [REDACTED], CA-INY-[REDACTED], CA-INY-[REDACTED], and CA-INY [REDACTED]
  - Set B consists of [REDACTED] (CA-INY-[REDACTED]), [REDACTED] (CA-INY [REDACTED], [REDACTED]), [REDACTED] (CA-INY [REDACTED]), [REDACTED] ( [REDACTED] ).

Set A and B can each be thought of as analogous to a cluster of buildings located at one street address. Within each set, the boundary between each site is imaginary. This is especially true for Set A, where lines were arbitrarily drawn to divide up one large site.

Two of the Set B sites were previously determined ineligible but when new resources were found, they were resurveyed and found eligible. Cultural resources have recently been discovered at the other two “Set B” sites, one of which is connected to sites in Set A. This illustrates how dynamic the Owens Lake surface soils are and underscores the importance of continuous monitoring due to the prevalence of late discoveries. For example, the “Lizard Tail” area was not emissive until this project was put into place, and became emissive as a result of this project. Since then, it has healed itself and has not been emissive for at least 9 years. Because of the cultural sensitivity of this area and the fact that this area has not been emissive according to those on the ground in a position to witness blowing dust and sand, this area never should have been graded to create a highly emissive environment.

One additional site where we recommend continued avoidance is [REDACTED] ([REDACTED]), a paleontological resource subject to a protective memorandum provided by Wagner on 5/10/16 as agreed to by the State Lands Commission. It has been judged “Paleontologist Determined Significant.” Paleontological resources are part of the environment in which our ancestors lived; they are a part of our past as much as the archaeological record. Consequently, these special resources should be protected and managed without dust control in the same way as the other cultural resources discussed in these recommendations.

- See also the concerns described in the first paragraph of the “Overarching Recommendations” section of this document; these comments apply to this area of the lake.

#### **D. SOUTH SHORE: Pakwadzi**

- **Relevant Phase 7 Recommendation – “Conclusion,” which read (in part):** “... *The “compliance clock” should be “re-started” on [specific site] to give these recommendations time to work. When mitigation is completed, we recommend reconvening to assess results and update our recommendations if needed, given implementation results, continuing evolution in the over-all project design, and development of new Best Available Control Measures...*”
- **Phase 9/10b Designation: Dust Control Area** [REDACTED] (includes CA-INY-[REDACTED]) and [REDACTED] ([REDACTED]).
- **Comments:** This area is quite wet. We doubt whether it is emissive. We recommend avoiding disturbance in this area. In addition, we intend for the recommendation contained in the above Phase 7 “conclusion” to encompass the sensitive location that LADWP designates as CA-INY-[REDACTED] and [REDACTED] ([REDACTED]). Both of these sites contain sensitive cultural resources based on tribal historic knowledge.

Moreover, two sensitive areas associated with this part of the lake—in spite of Tribal concerns—were destroyed during Phase 9/10. Another site designated as [REDACTED] ([REDACTED]) is a continuation of those sensitive areas. This site has been avoided due to Tribal concerns. It is potentially eligible per CEQA.

All of the surrounding mitigation areas is shallow flood or managed vegetation, and as such, we anticipate that this sensitive area will be protected from emissions. Thus, this sensitive area should not require additional dust control. We support non-invasive evaluation of this site.



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 Fax: 760-872-6109

January 11, 2018

Mr. David H. Wright  
General Manager  
City of Los Angeles Department of Water & Power  
111 N. Hope Street  
Los Angeles, California 90012-2607

### **RE: Approval of Monitoring and Avoidance of Phase 9/10b Cultural Resource Areas at Owens Lake**

Dear Mr. Wright:

On September 20, 2017, the Great Basin Unified Air Pollution Control District (District) and City of Los Angeles Department of Water and Power (City) received the Cultural Resource Task Force (CRTF) Tribes' Initial and Interim Recommendations on Best Way to Balance Cultural Resource Protection and Dust Control For Sensitive Areas in Phase 9/10b, regarding the treatment of environmentally sensitive areas at Owens Lake that were identified for dust mitigation. We appreciate the cooperation of the City on the task force and dealing with this matter in a manner that is both considerate of the need to protect cultural resources at Owens Lake and to protect the public from the harmful effects of dust from the exposed lakebed.

In order to move our efforts forward to determine the most appropriate action to protect cultural resources and air quality, the District has accepted the CRTF recommendations pending Tribal Approval for qualifying Phase 9/10b cultural resource areas meeting California Register of Historic Resources eligibility per District Governing Board Order #160413-01, Paragraph 3.B. (Enclosure 20180111).

The District looks forward to working with City staff to implement the following tasks.

1. Monitoring:

Initiate monitoring in the Phase 9/10b areas to determine if dust controls in adjacent areas sufficiently mitigated PM10 exceedances caused by dust generated from the Phase 9/10b areas. Monitoring shall commence by or before January 1, 2018 as recommended by the CRTF monitoring committee, which includes monitoring of ambient PM10, sand flux, and surface changes (e.g. mechanical disturbance, vegetation growth, and crusting). As per the 2013 Settlement Agreement the City shall be responsible for paying the CRTF's reasonable costs, including reimbursement of CRTF members for reasonable travel expenses. Monitoring efforts will continue until the District determines that the area is no longer an active dust source area.

2. Owens Lake Archaeological District:

The District continues working on the nomination of Owens Lake as an archaeological district to the National Register of Historic Places and development of a corresponding management plan. The District Air Pollution Control Officer and staff continue to lead the nomination in collaboration with Cultural Resources Task Force participants to develop any necessary agreements and plans in order to protect cultural resources and prevent delays in dust control implementation.

3. Dust Mitigation:

If the District determines that PM10 exceedances are caused by dust from the Phase 9/10b areas after completion of dust controls in the adjacent areas, the District Board will issue a new order for the City to implement dust controls, which may include the measures recommended by the Tribes, or new measures that are considerate of the environmental sensitivity of these areas, the need to protect air quality, and the need to conserve water resources.

Thank you for your attention regarding these important matters.

Sincerely,

John Wentworth  
Board Chair  
Great Basin Unified Air Pollution Control District Governing Board

Enclosure:

20180111- CONFIDENTIAL -Table 1. Qualifying Phase 9/10b Cultural Resource Areas  
Meeting California Register of Historic Resources Eligibility per Governing Board  
Order #160413-01, Paragraph 3.B.

Cc (hardcopy):

Mary Wuester, Lone Pine Paiute-Shoshone Reservation  
Kathy Jefferson-Bancroft, Lone Pine Paiute-Shoshone Reservation  
Mel Joseph, Lone Pine Paiute-Shoshone Reservation  
April Zrelak, Lone Pine Paiute-Shoshone Reservation  
Norman Wilder, Fort Independence Indian Reservation  
Stephanie Arman, Fort Independence Indian Reservation  
Cheyenne Stone, Fort Independence Indian Reservation  
Genevieve Jones, Big Pine Paiute Tribe of the Owens Valley  
Danelle Bacoch-Gutierrez, Big Pine Paiute Tribe of the Owens Valley  
Sally Manning, Big Pine Paiute Tribe of the Owens Valley  
George Gholson, Timbisha Shoshone Tribe  
Barbara Durham, Timbisha Shoshone Tribe

*Cc (continued)*

Leroy 'Spike' Jackson, Timbisha Shoshone Tribe  
Jennifer Lucchesi, California State Lands Commission  
Pam Griggs, California State Lands Commission  
Jennifer Mattox, California State Lands Commission  
Grace Kato, California State Lands Commission  
Drew Simpkin, California State Lands Commission  
Julianne Polanco, California Office of Historic Preservation  
Amy Crain, California Office of Historic Preservation  
Brendon Greenaway, California Office of Historic Preservation  
Terrie Robinson, Native American Heritage Commission  
Steve Nelson, Bureau of Land Management – Bishop Field Office  
Greg Haverstock, Bureau of Land Management – Bishop Field Office  
Donald Storm, Bureau of Land Management – Ridgecrest Field Office  
Richard Harasick, Los Angeles Department of Water & Power  
Anselmo Collins, Los Angeles Department of Water & Power  
Milad Taghavi, Los Angeles Department of Water & Power  
Jamie Valenzuela, Los Angeles Department of Water & Power  
Liz Calderon, Los Angeles Department of Water & Power

**CONFIDENTIAL**

Table 1. Qualifying Phase 9/10b Cultural Resource Areas Meeting California Register of Historic Resources (CRHR) Eligibility per Governing Board Order #160413-01, Paragraph 3.B.

Cultural Resource Area	Site Number	CRHR Eligible	2nd Archaeologist Concurrance	Area (acres <sup>^</sup> )
		Yes	Yes	3.38
		Yes	Yes	0.54
		Yes	Yes	1.85
		Yes	Yes	8.65
		Yes	Yes	55.64
		Yes	Yes	12.45
		Yes	Yes	13.22
	*	Yes	Yes	28.48
	*	Yes	Yes	59.08
	*	Yes	Yes	13.95
		Yes	Yes	2.90
		Yes	Yes	53.75
		Yes	Yes	3.77
		Yes	Yes	2.03
	*	Yes	Yes	7.41
	*	Yes	Yes	105.10
		Yes	Yes	10.29
		Yes	Yes	13.37

\*When sites overlap, overlapping acreage applied to larger site

<sup>^</sup>Acreage may change based on Phase 9/10 as-builts



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 Fax: 760-872-6109

### BOARD REPORT

**Mtg. Date:** January 11, 2018

**To:** District Governing Board

**From:** Ann Logan, Deputy Air Pollution Control Officer

**Subject:** Approval of Proposed 2018 District Rule and Policy Adoption Schedule

---

#### Summary

The Great Basin Unified Air Pollution Control District (District) is required to prepare a list of regulatory measures scheduled or tentatively scheduled for consideration during the year as directed by California Health & Safety Code §40923. The District may propose a regulatory measure not contained in the most recently published list of proposed regulatory measures if necessary to satisfy federal requirements, to abate a substantial endangerment to public health, to preserve the original intent of the rules, or to increase opportunities for alternative compliance methodologies.

The following are regulatory measures or policies that may be considered by the Governing Board for adoption, amendment, or rescission in the 2018 calendar year.

<u>Type</u>	<u>Rule</u>	<u>Title</u>
New	---	Mutual Settlement Policy
Revision	209-A	Standards for Authorities to Construct
Revision	216-A	New Source Review Requirements for Determining Impact on Air Quality – Secondary Sources
Revision	217	Additional Procedures For Issuing Permits To Operate For Sources Subject To Title V Of The Federal Clean Air Act Amendments Of 1990
Revision	300	Permit Fees
Revision	301	Permit Fee Schedule
Rescission	1101	Purchasing, Bidding and Contracting Policy

### **Additional Information on a District Mutual Settlement Policy**

Mutual settlement programs offer an opportunity to settle Notices of Violation (NOV) issued by the District in a manner that is acceptable to both the District and the source, without the time and expense of litigation. For air quality violations, the District issues Notices of Violation or Notices to Comply (NTC) for minor violations in accordance with District Rule 109, Minor Violations. Notices of Violations can be handled by the immediate filing of a civil or criminal action but a majority of violations are more efficiently and appropriately handled by requiring corrective action, ensuring compliance, educating the alleged violator, and implementing a clearly defined process and procedure for settlement.

A Mutual Settlement Policy will also include a District penalty structure to be utilized in the determination of penalties during settlement negotiations. California Health & Safety Code §42403 requires the following eight factors be incorporated into the determination of penalties: 1) the extent of harm caused, 2) the nature and persistence of the violation, 3) the duration of the violation, 4) the frequency of past violations, 5) the maintenance record, 6) the nature of the control equipment, 7) any mitigation action taken and 8) the financial burden to the defendant. The District does not currently have a clearly defined policy on how to consistently and fairly apply these considerations to a penalty determination. Alternatives to monetary penalties would also be incorporated into the policy, as required by California Health & Safety Code §42420, which states District enforcement programs shall ensure that the imposition of civil and criminal penalties is commensurate with the severity of the violation and “Districts shall endeavor to establish, where appropriate, alternatives to civil or criminal penalties for those circumstances in which the violation neither contributes to, nor potentially conceals, an emission that significantly contributes to unhealthful air quality.”

A Mutual Settlement Policy would not prohibit the District from pursuing civil litigation or criminal prosecution if necessary.

### **Board Action**

Staff recommends that the Governing Board approve the proposed list and authorize the APCO to initiate any necessary processes for the above listed rule and policy adoptions, revisions and recensions.



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537  
Tel: 760-872-8211 Fax: 760-872-6109

### BOARD REPORT

**Mtg. Date:** January 11, 2018

**To:** Governing Board

**From:** Ann Logan, Deputy Air Pollution Control Officer

**Subject:** Approval of the Triennial Progress Report for the Town of Mammoth Lakes Air Quality Management Plan

---

#### **Summary**

On November 2, 2015 the Town of Mammoth Lakes was designated a maintenance area in attainment of the PM10 National Ambient Air Quality Standard (Federal Standard) by the United States Environmental Protection Agency (US EPA) following over twenty-five years as PM10 non-attainment area. At the time of redesignation, the US EPA also approved the 2014 Air Quality Maintenance Plan for the Town of Mammoth Lakes which was a revision to the 1990 Air Quality Management Plan and included the request to the US EPA for redesignation from non-attainment to attainment for the PM10 Federal Standard based on monitoring data and modeling analysis.

The US EPA requires areas to track the progress of maintenance plans. In the 2014 Air Quality Maintenance Plan, the Town of Mammoth Lakes and the District committed to submitting progress reports every third year, starting in 2017, to track the progress of the maintenance plan. As specified, the attached progress report includes an update on PM10 air quality and an updated peak daily emission inventory for all sources in the planning area. Air quality trends and emission analysis continue to demonstrate that the adopted control measures of the 2014 Air Quality Maintenance Plan, enforceable through District Rule 431-Particulate Emissions and the Town of Mammoth Lakes Municipal Code Chapter 8.30, are sufficient to maintain compliance with the PM10 Federal Standard for the Town of Mammoth Lakes.

#### **Board Action**

Staff recommends that the Board approve the Town of Mammoth Lakes Air Quality Management Plan Triennial Progress Report, dated December 2017, for submission to the United States Environmental Protection Agency.

#### **Attachment:**

1. Triennial Progress Report, Town of Mammoth Lakes Air Quality Management Plan, December 2017



**GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT**  
157 Short Street, Bishop, California 93514-3537  
Tel: 760-872-8211 [www.gbuacpd.org](http://www.gbuacpd.org)

**Town of Mammoth Lakes Air Quality Management Plan**  
**2014-2016 TRIENNIAL PROGRESS REPORT**  
**December 2017**

**Summary**

This document provides a progress report on particulate matter 10 microns or less in diameter (PM10) air quality trends for the Town of Mammoth Lakes (Town). This progress report is the first since the adoption of the 2014 Air Quality Maintenance Plan (2014 AQMP) for the Town of Mammoth Lakes, which was a revision to the 1990 Air Quality Management Plan (1990 AQMP) and included a request of the United States Environmental Protection Agency (US EPA) for redesignation of the Mammoth Lakes Planning Area as in attainment for the PM10 National Ambient Air Quality Standard (Federal Standard) based on monitoring data and modeling analysis. The US EPA approved the 2014 AQMP and redesignated the Mammoth Lakes Planning Area a maintenance area in attainment for the PM10 Federal Standard on November 2, 2015.

In the 2014 AQMP, the Town of Mammoth Lakes and Great Basin Unified Air Pollution Control District (District) committed to submitting progress reports every third year starting in 2017 to track the continuing progress of the PM10 maintenance plan. As specified in the 2014 AQMP, this progress report includes an update on PM10 air quality and an updated peak daily emissions inventory for all sources in the planning area. Air quality trends and emissions analyses continue to demonstrate that the adopted control measures for the Town of Mammoth Lakes are sufficient to maintain compliance with the PM10 Federal Standard.

**Area Description and Population**

The Town of Mammoth Lakes is located in the southern portion of Mono County, California. Nestled on the eastern slopes of the Sierra Nevada mountains, the Town is at an elevation of 7,861 feet (2,396 m) above sea level. The Town was incorporated in 1984 and has grown from a

permanent population of 4,785 in 1990 to 8,234 in 2010. Mammoth Mountain ski area is included in the Town boundaries and attracts 1.2 to 1.5 million skiers each winter. Major winter weekends see the population of the Town swell to around 35,000 people.

The Mammoth Lakes Planning Area, the area identified by the US EPA as the nonattainment area, covers approximately 68 square miles and encompasses almost all of the incorporated portion of the Town of Mammoth Lakes and a portion of unincorporated Mono County, including the Mammoth Yosemite Airport. The majority of particulate matter contributions originate from within the Town boundary. All of the planning area is located within the District. Figure 1 shows the boundaries of the Mammoth Lakes Planning area.

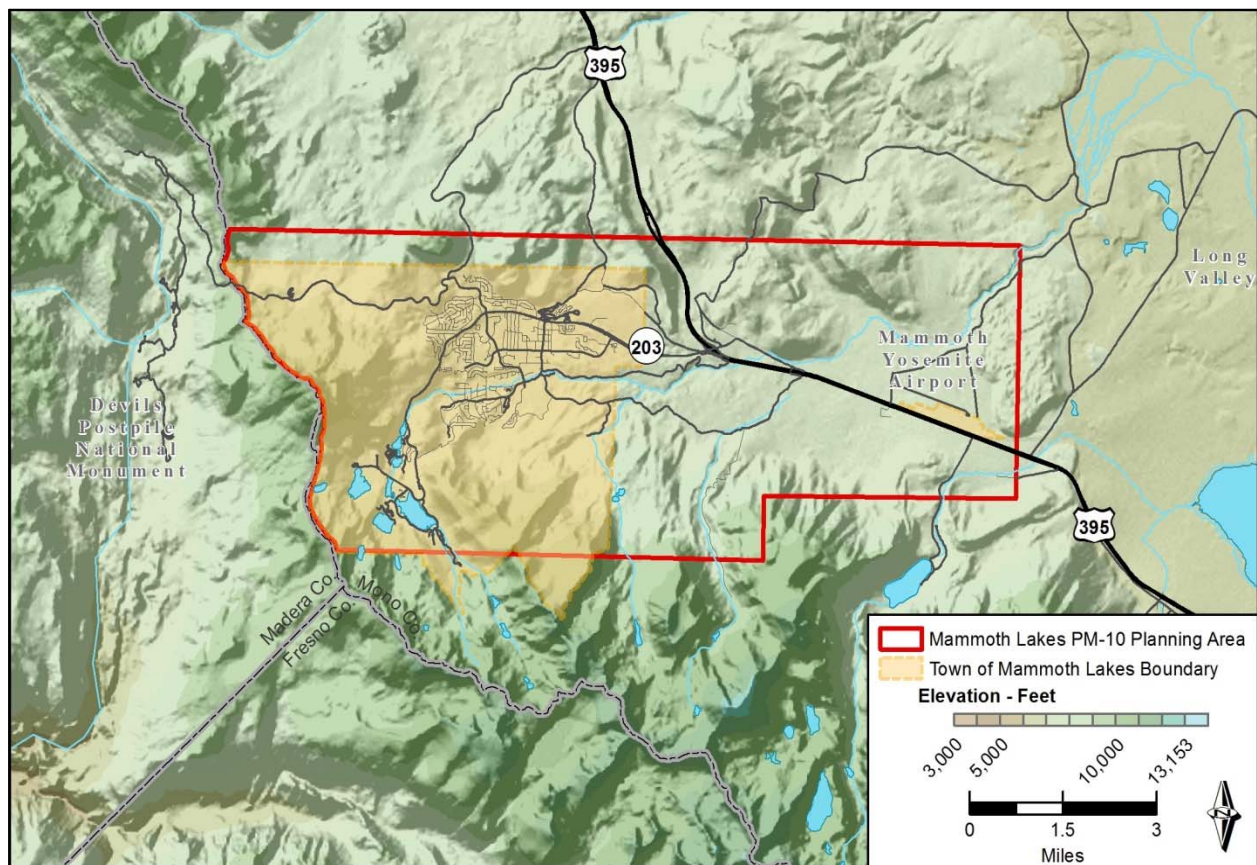


Figure 1. Mammoth Lakes Planning Area and Town of Mammoth Lakes Boundary

## **Background**

The PM10 issue in the Town of Mammoth Lakes is primarily caused by smoke from wood stoves and fireplaces, as well as from traffic related dust and volcanic cinders used on roadways for traction control during the winter. High particulate matter levels are usually associated with calm winter days with little wind. In the past five years, wildfires have resulted in infrequent but high levels of particulate matter during the summer and early fall.

The District has conducted particulate matter monitoring in the Town of Mammoth Lakes since 1979. In 1987, the US EPA revised the Federal Standard for particulate matter (52 FR 24634). The revision established a 24-hour Federal Standard of 150 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) for PM10, particulate matter 10 microns or less in diameter. Soon after, based on the monitoring conducted by the District, the US EPA classified the Town of Mammoth Lakes as a Group I area with a greater than 95% probability of violating the Federal Standard (52 FR 29384) and required the District to develop a State Implementation Plan (SIP) that included control measures to bring the area into attainment with the Federal Standard.

From 1985 to 1990, monitoring in the Town of Mammoth Lakes by the District recorded 10 violations of the 24-hour PM10 Federal Standard. Monitoring at that time was conducted on a once-every-six-day cycle and extrapolation of the data predicted 11.2 expected violations of the Federal Standard per year. Joint investigation by the Town of Mammoth Lakes and the District found the high PM10 levels were largely caused by particulate emissions from residential wood combustion and road dust entrained into the air by vehicles on roads treated with volcanic cinders during the winter. On November 15, 1990, the Mammoth Lakes Planning Area was designated as a moderate nonattainment area for the 24-hour PM10 Federal Standard (56 FR 11101).

In November 1990, the District and Town of Mammoth Lakes jointly adopted the 1990 Air Quality Management Plan (1990 AQMP) for the Town of Mammoth Lakes to fulfill US EPA's requirement of development of a SIP. The 1990 AQMP included particulate emissions regulations adopted in District Rule 431 and Town of Mammoth Lakes Municipal Code Chapter 8.30 that: 1) regulated the installation of wood stoves and other solid fuel appliances, 2) instituted voluntary and mandatory no-burn days for fireplaces and woodstoves, 3) required street sweeping to clean up the cinders on the roads after snow events, and, 4) limited the peak traffic volume for future developments in the Town. After several amendments the US EPA approved the 1990 AQMP in June 1996.

Implementation of the measures included in the 1990 AQMP resulted in an immediate and significant decline in PM10 levels in the planning area. Prior to any control measure implementation, monitoring predicted approximately eleven (11) exceedances of the Federal Standard per year. Following implementation, only two (2) exceedances of the PM10 Federal Standard were recorded between 1990 and 1994 and zero (0) exceedances were recorded from 1994 to 2012.

In 2013, following 23 years of air quality improvement, the Town and District staffs worked cooperatively to revise the 1990 Air Quality Maintenance Plan to: address improved air quality; incorporate the revised General Plan for the Town of Mammoth Lakes; update traffic modeling for the Town; update the chemical mass balance study used in the original AQMP; revise the District Rules; and request the Mammoth Lakes Planning Area be redesignated as attainment for the PM10 Federal Standard. The update contained several regulatory amendments including: 1) prohibiting installation of solid fuel appliances, with the exception of pellet stoves, in new multi-unit developments in the Town of Mammoth Lakes, 2) increasing the allowable peak traffic volume for new developments in the Town from 106,600 to 179,708 vehicle miles travelled per day based on a revised air quality analysis, 3) modification of the mandatory curtailment to include all wood burning appliances, except pellet stoves, as EPA certified stoves had previously been exempted under Town regulations, and, 4) revising penalties for violations of District Rule 431 consistent with the Town Municipal Code.

The request for attainment redesignation incorporated in the revision demonstrated, as required by Section 107(d)(3)(E) of the Clean Air Act, that: 1) the monitored area has achieved attainment of the Federal Standard, 2) the area has a fully approved State Implementation Plan, 3) the improvement in air quality is due to permanent and enforceable reductions in emissions, and, 4) the state has submitted, and U.S. EPA has approved, a maintenance plan for the area.

On November 6, 2013, the Town of Mammoth Lakes adopted and approved the proposed maintenance plan and revisions to Municipal Code Chapter 8.30. On May 5, 2014 the Great Basin Unified Air Pollution Control District Governing Board adopted and approved the proposed maintenance plan and adopted revisions to District Rule 431 making the District rule consistent with the requirements contained in Chapter 8.30 of the Town Municipal Code. District Rule 431 allows the District to enforce air quality regulations governing residential wood combustion and road dust in the Town.

The 2014 Air Quality Maintenance Plan (2014 AQMP) and redesignation request was adopted by the State of California Air Resources Board on September 18, 2014. The US EPA approved the 2014 AQMP and redesignated the Mammoth Lakes Planning Area a maintenance area in attainment for the PM10 Federal Standard on November 2, 2015 (80 FR 60049).

As detailed in the 2014 AQMP, following attainment redesignation, the Town and the District have committed to the continuation of the air quality program in the Mammoth Lakes Planning Area through the continued implementation of control measures, the continuation of ambient air quality monitoring and in providing triennial updates on the progress of the plan to continue to maintain the Federal Standard and to improve compliance with the more stringent California Ambient Air Quality Standard for PM10 (State Standard). The progress updates fulfill a requirement from the US EPA for areas to track the progress of maintenance plans (Calcagni, 1992). The 2014 AQMP contingency provisions incorporate a process for identifying new or more stringent control measures in the event of a future monitored Federal Standard violation.

## **Ambient PM10 Conditions and Trends**

This section contains an update of ambient PM10 conditions and trends for the Town of Mammoth Lakes through the end of the 2016 calendar year. The PM10 trend after many years of improvement has shown a general stabilization in the past decade at a level sufficient to maintain compliance with the PM10 Federal Standard. Figure 2 shows the trend of quarterly PM10 averages from 1990 to 2016, with a gradual decline and leveling over the past decade. Although the average PM10 values have leveled, the trend of the maximum daily PM10 values, shown in Figure 2, indicates that peak concentrations have started to increase since 2008. Upon closer examination this trend is due in part to increased magnitude of non-winter PM10 events caused by summer wildfires. Figure 3 shows that for winter months (November to March), the average winter and peak winter concentration continue to be generally decreasing.

From 1994 to 2012 there were zero (0) exceedances of the 24 hour PM10 Federal Standard. As shown in Table 1, since 2012 through the end of 2016 there have been two (2) exceedances of the Federal Standard. Both federal exceedances were recorded in 2013 and occurred during the height of the Aspen Fire on the west side of the Sierra Nevada that pushed smoke into the Mammoth Lakes area. The two federal exceedances were addressed by US EPA's Exceptional Events Rule (72 FR 13560) which allows for the exclusion of violation days that meet specific criteria. Exceptional events are defined by US EPA as unusual or naturally occurring events that affect air quality but are not reasonably controllable in order to attain and maintain the Federal Standard. Exceptional events must be approved by US EPA and typically include wildfires, stratospheric ozone intrusions and volcanic and seismic activities. Although violations recognized as exceptional events by US EPA do not count toward or against an area in meeting the Federal Standard, that does not provide relief to residents and visitors exposed to high concentrations of particulate matter due to wildfires. Figure 5 shows the increased frequency and magnitude of wildfire events that have impacted the Town of Mammoth Lakes in the past five years.

The 2014 AQMP does not address or contain control or contingency measures related to wildfire impacts. The mitigation measures contained in the 2014 AQMP are specifically for reductions in impacts from winter wood smoke and road dust and cinders. However, to address wildfire impacts to public health in the Town of Mammoth Lakes and throughout the District, an Emergency Air Monitoring Program was established by the District in 2015. Health advisories are issued based on hourly PM10 values during wildfire events under District Rule 701, Air Episode Plan, to protect public health.

<b>Table 1. Summary of PM10 Federal and State Violations for Mammoth Lakes</b>		
Year	Number of Federal Exceedances (Daily PM10 > 150 µg/m³)	Number of State Exceedances (Daily PM10 > 50 µg/m³)
2010	0	31
2011	0	28
2012	0	4
2013	2*	32
2014	0	3
2015	0	10
2016	0	14

\* Both Federal Exceedances in 2013 were treated under US EPA Exceptional Event Rule

Although the PM10 Federal Standard continues to be met, the more stringent State Standard for PM10, set at 50 µg/m³ for 24 hours, is still being violated as shown in Table 1 and Table 2. The number of monitored State Standard violations was as high as 88 exceedance days in 1990, the year the first AQMP was adopted. Violations of the State Standard have declined since then. Table 2 shows the number of state exceedances by month from 2010-2016. The total number of state exceedances per year has shown a slight decrease, even with summer wildfire events. Exceedances of the State Standard are still occurring during winter months and are attributable to traditional winter wood smoke and traffic related dust and cinders. Table 2, highlights the increased frequency at which the State Standard is violated during the summer. All state exceedances that have occurred in summer months since 2013 are attributable to wildfire events.

<b>Table 2. Summary of PM10 State Exceedances in Mammoth by Month (2010-2016)</b>													
Year	Number of PM10 State Exceedances (daily average PM10 > 50 µg/m³)												
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
2010	9	6	8	2	0	0	0	0	0	0	2*	4	31
2011	16	7	2	0	0	0	0	0	0	0	1	2	28
2012	1	0	1	0	0	0	0	0*	0*	0	0	2	4
2013	13	1	2	0	0	0	7	5	0	0	0	4	32
2014	0	0	0	0	0	0	0	2	1	0	0	0*	3
2015	0	0	0	0	0	0	0	3	4	0	0	3	10
2016	4	5	0	0	0	0	0	0	1	0	0	4	14
Total	43	19	13	2	0	0	7	10	6	0	3	19	122

Data represents maximum daily value of Partisol or FDMS TEOM monitor

\* Data capture issues

Figure 2. Mammoth Lakes PM10 Quarterly Peaks & Averages (1990-2016)

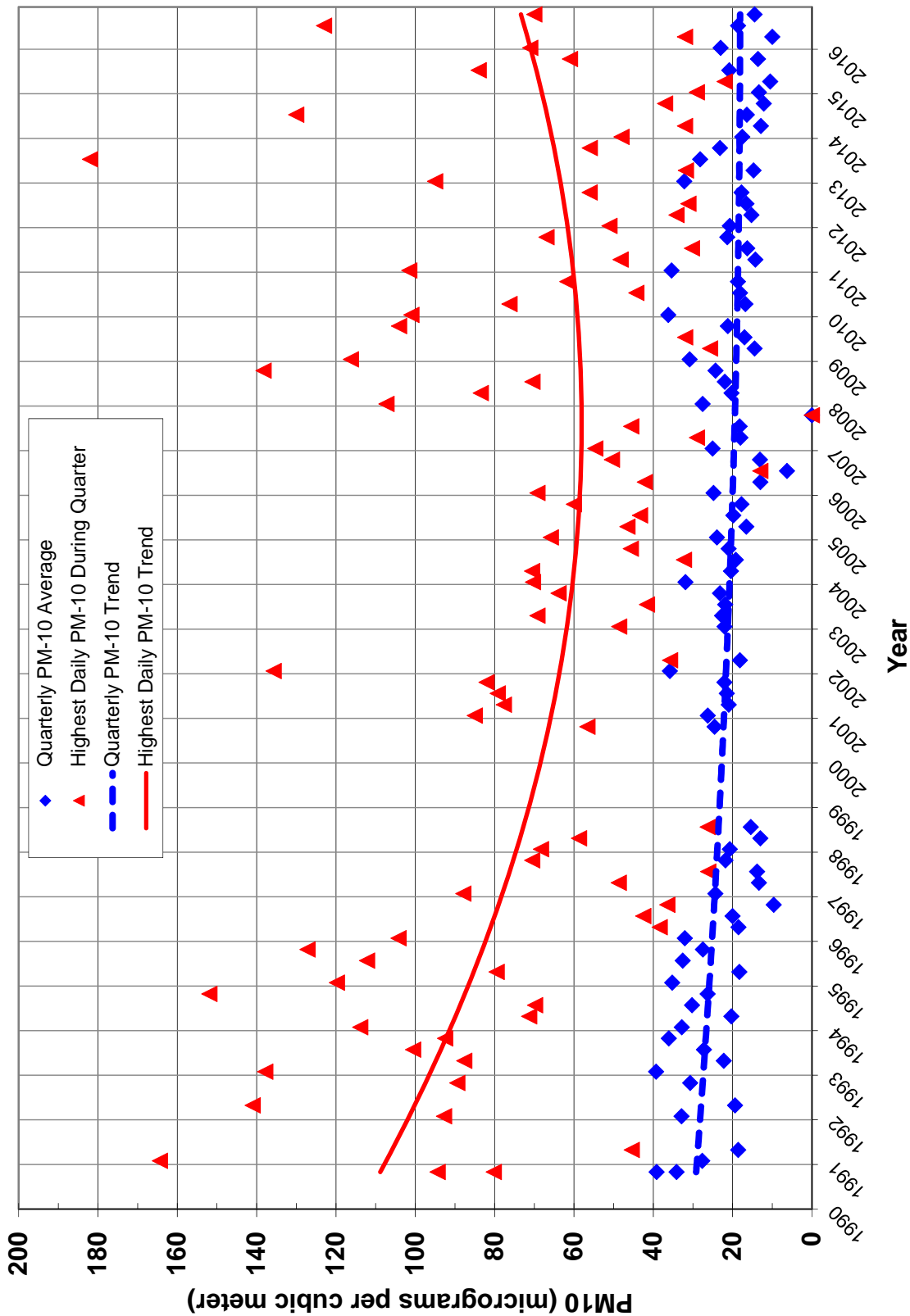
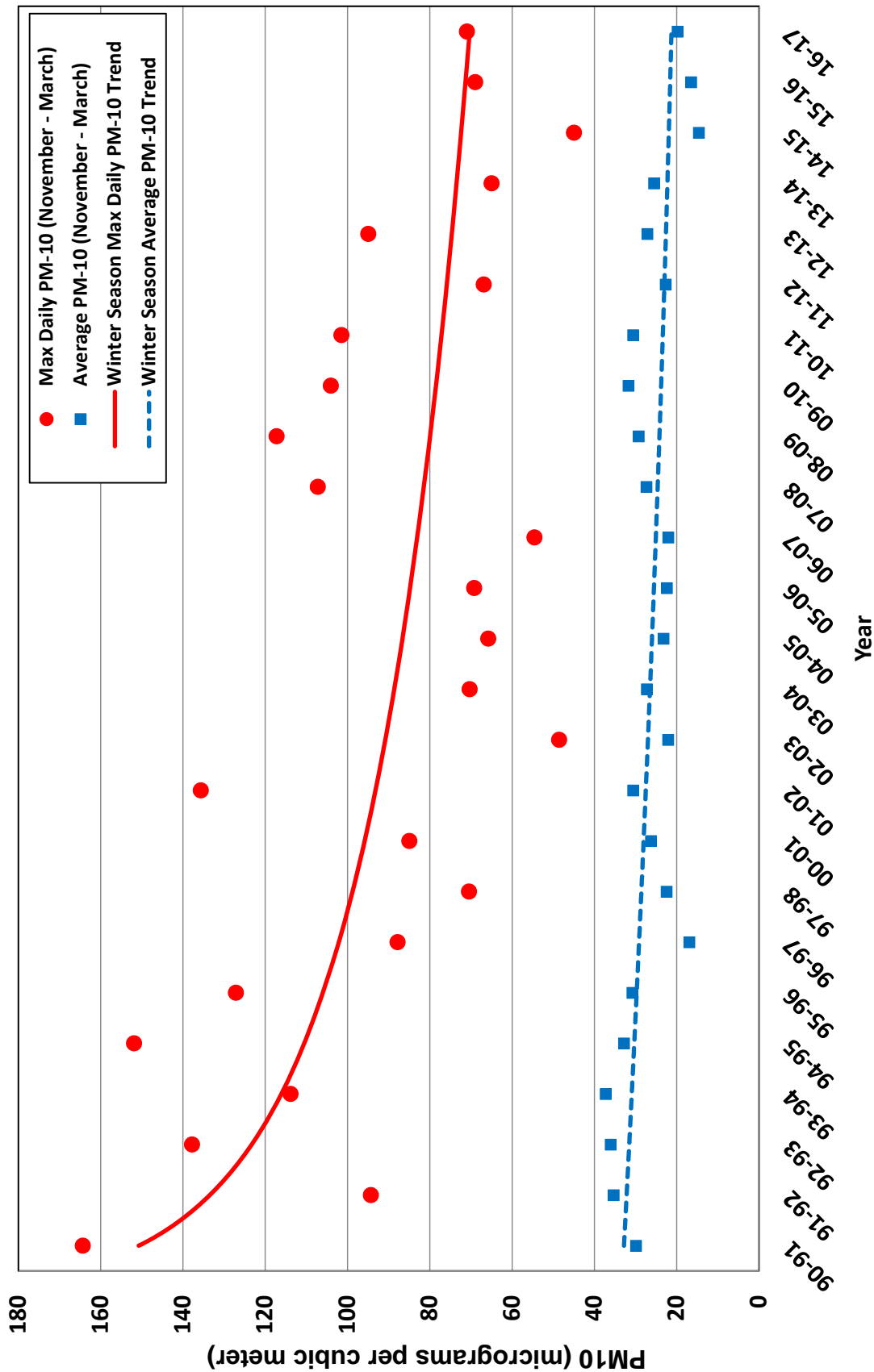
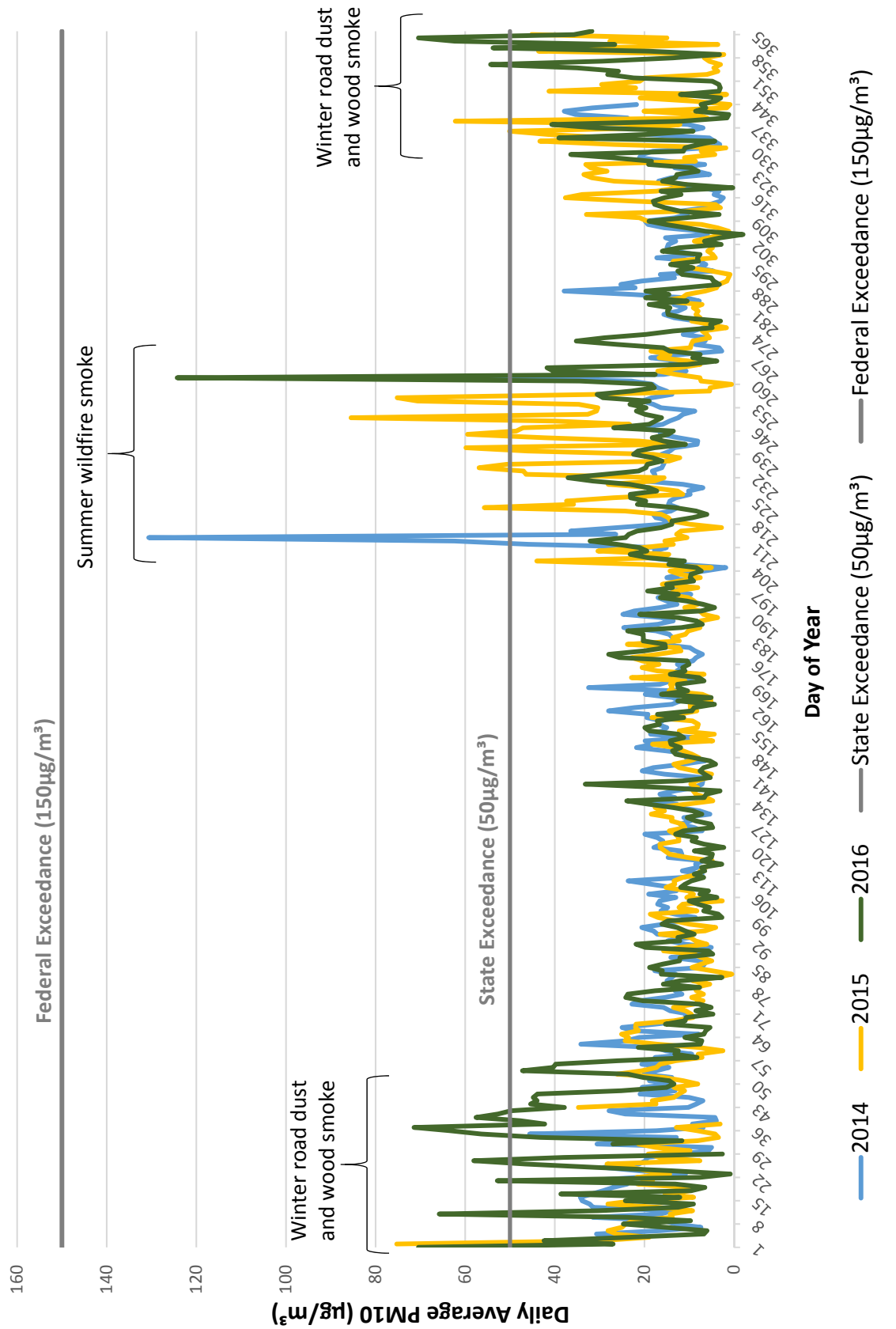
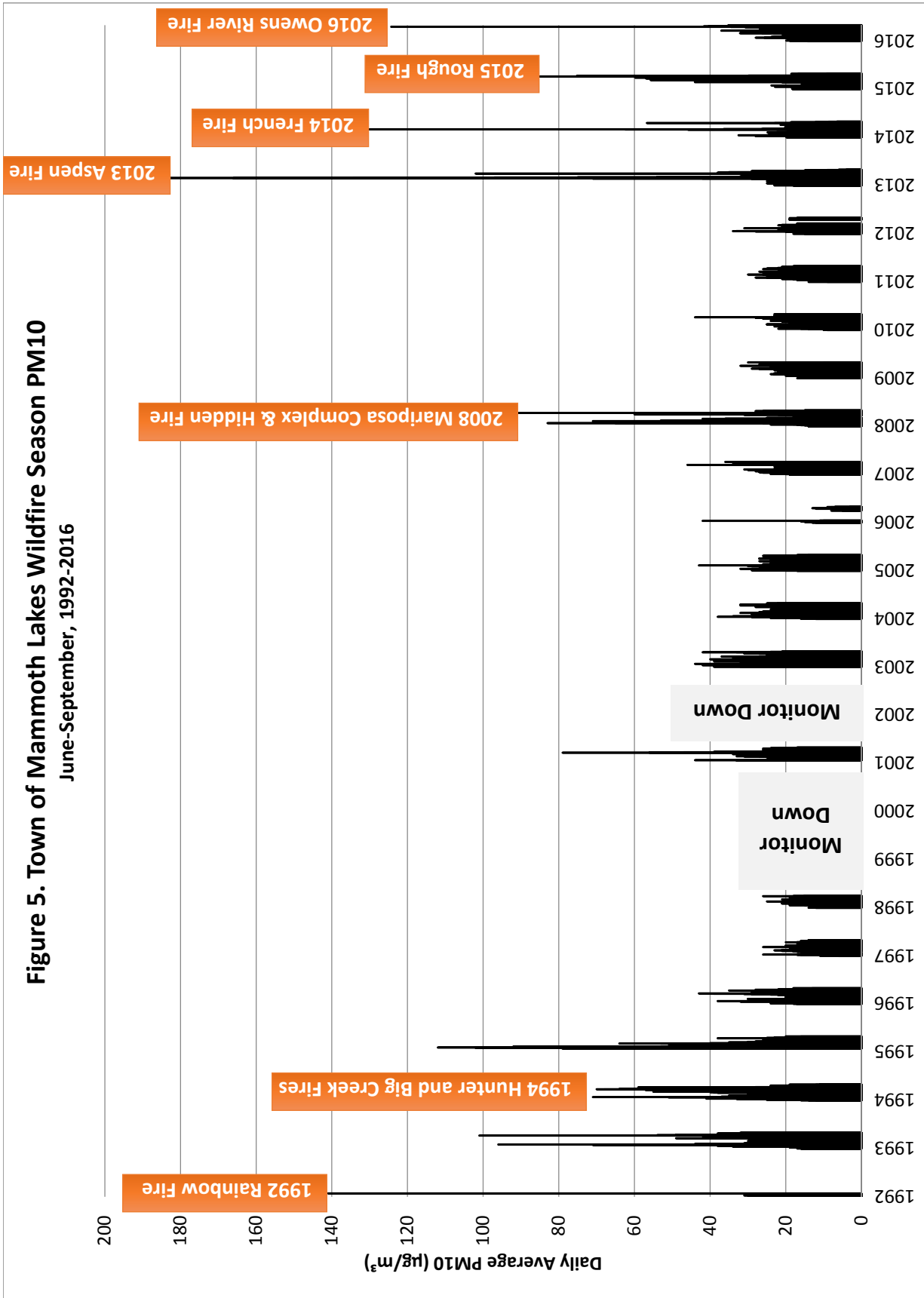


Figure 3. Mammoth Lakes PM10 Winter Season Peaks & Averages (1990-2016)



**Figure 4. Mammoth Lakes Daily Average PM10 (2014-2016)**





## Emissions Inventory

The section describes the Mammoth Lakes Planning Area PM10 emissions estimates for residential wood combustion, resuspended road dust, cinders, mobile source tailpipe emissions and point sources. These emissions were estimated for the peak winter period when roadway travel from visitors and residential wood combustion is the greatest. Other PM10 emission sources such as construction and windblown fugitive dust are minimal in the peak winter period due to weather conditions and snow cover. The methodology and data used to determine emissions is discussed for each source type and details are included in Appendix A.

The current total PM10 peak emissions on a winter day in the Town of Mammoth lakes are 3,448 kg/day in the Town and 4,096 kg/day in the planning area boundary. Updated estimates of total emissions for the Mammoth Lakes Planning Area are shown in Table 3. Peak 24-hour PM10 emissions estimates for the entire planning area have decreased slightly, approximately 5%, since the last emissions estimate conducted in 2012 for the 2014 AQMP. This decrease is mostly attributed to a decrease in out-of-town vehicle miles traveled (VMT) due to a correction that reduced the roadway length estimate. The in-town emissions inventory increased slightly, by 2%, since 2012. The increase is attributable to an increase in resuspended road dust and cinders associated with increased vehicle miles traveled in the Town and an increase in tail-pipe, tire wear, and brake wear emissions is due to an increase in emission factors and increased in-town vehicle-miles-traveled (VMT) (see Appendix A). The decrease in residential wood combustion emissions is reflective of device change-outs to more efficient devices and cleaner fuel sources.

<b>Table 3. Peak 24-hour PM10 Emission Estimate for 2017 and 2012.</b>						
<b>Emission Source</b>	<b>2017 Inventory (kg/day)</b>		<b>2012 Inventory (kg/day)</b>		<b>% Difference</b>	
	<b>In-Town</b>	<b>Planning Area Total</b>	<b>In-Town</b>	<b>Planning Area Total</b>	<b>In-Town</b>	<b>Planning Area Total</b>
Residential Wood Combustion	761	761	850	850	-11.7%	-11.7%
Road Dust and Cinders	2,673	3,316	2,522	3,455	5.6%	-4.2%
Tailpipe, Tire & Brake Wear	10	12	9	11	10.0%	8.3%
Industrial Sources	4	8	4	8	0.0%	0.0%
<b>Total</b>	<b>3,448</b>	<b>4,096</b>	<b>3,385</b>	<b>4,324</b>	<b>1.8%</b>	<b>-5.6%</b>

Woodburning and resuspended road dust comprise almost all the PM10 emissions during the winter. Motor vehicle exhaust, tire wear and industrial sources do not contribute significantly to the total estimated emissions.

Table 4 shows the trend of estimated in-town emissions from 1990 through 2017, as well as the projected 2030 emissions. The 2014 AQMP estimated peak emissions of 3,385 kg/day of PM10 in 2012, a 20% reduction in emissions since 1990 despite a population increase from 4,785 in 1990 to 8,234 in 2010. The slight increase from 2012 to 2017 in estimated peak emissions remains below the projected peak emissions for 2030.

<b>Table 4. Change in Peak 24-Hour In-Town Emissions</b>				
<b>Emission Source</b>	<b>1990 (kg/day)</b>	<b>2012 (kg/day)</b>	<b>2017 (kg/day)</b>	<b>2030 (kg/day)<sup>1</sup></b>
Residential Wood Combustion	1,839	850	761	802
Road dust/cinders	2,390	2,522	2,673	3,143
Tailpipe, tire & brake wear	23	9	10	11
Industrial (in-Town)	1	4	4	4
<b>Total</b>	<b>4,253</b>	<b>3,385</b>	<b>3,448</b>	<b>3960</b>

<sup>1</sup> The projected emission inventory for 2030 are based on a modeling analysis performed for the 2014 AQMP that included currently implemented control measure for residential wood combustion and changes to peak daily traffic volume.

## Conclusion

Air quality trends and emissions analyses continue to demonstrate that the adopted control measures for the Town of Mammoth Lakes are sufficient to maintain compliance with the PM10 Federal Standard as the 2014 AQMP outlined. Additional time is needed to evaluate progress toward increased compliance with the California state PM10 standard.

The District will continue to maintain monitoring network integrity and, with the Town, will continue to monitor PM10 in order to: 1) verify the attainment status of the area as required by the US EPA and, 2) to implement the no-burn day program, which relies on PM10 monitoring. Per the procedures in the 2014 AQMP, if a monitored violation of the PM10 Federal Standard occurs in the Town of Mammoth Lakes or the surrounding nonattainment area, the Town and the District will investigate the cause of the violation. If the event is not an exceptional event, within 18 months of the violation, the Town and District will adopt additional control measures needed to meet the federal PM10 standard.

## APPENDIX A

### 2017 Emissions Inventory Update

The section describes the details and methodology for the updated 2017 Mammoth Lakes Planning Area PM10 emissions estimates for residential wood combustion, resuspended road dust, cinders, mobile source tailpipe emissions and point sources. Total Peak 24-hour emissions are presented in Table A6.

#### Residential Wood Combustion

Residential wood combustion emissions are released from wood-burning fireplaces, woodstoves, and pellet stoves when they are operating. These combustion products, or emissions, are released in the form of aerosols and particulate matter into the atmosphere. Total emissions are dependent on the combustion device types, the combustion device counts, and the amount of fuel used.

The baseline numbers of fireplaces, woodstoves, and pellet stoves from the 2014 AQMP were updated using data provided by the Town of Mammoth Lakes from building permit records for July 2013 through June 2017. Devices were categorized by both type and residence type (single- or multi-family home). Fuel usage data is based on a survey conducted during the winter of 2012-2013 for the 2014 AQMP. Emissions from residential wood combustion were calculated using emission factors from the State of California Air Resources Board Process Methodology for Residential Wood Combustion (CARB, 2015). Device counts, fuel usage rates and emissions estimates are presented in Table A1.

The following assumptions were used when categorizing the devices:

- All newly permitted devices were assumed to be US EPA Phase II Certified;
- The “Woodstoves (EPA)” category includes all US EPA Phase II certified wood-burning devices;
- The “Woodstoves (uncertified)” category includes all non-certified wood-burning inserts and stoves;
- The “Fireplaces” category includes all non-certified wood-burning fireplaces;
- The “Pellet Stoves” category includes all pellet stoves and pellet stove inserts;
- Gas-burning devices were excluded from the inventory; and
- All building permits involving wood-burning devices with “unit” as part of the location address were assumed to be multi-family residences. Multi-family residences were then apportioned to condominiums and mobile homes/apartments based on the 2014 AQMP distribution.

#### Roadway Emissions

Roadway PM10 emissions include resuspended road dust, tailpipe emissions, tire wear, and brake wear emissions from vehicles traveling in the Mammoth Lakes Planning Area (MLPA). Emission factors were calculated in terms of grams per mile (g/mile) for each emission category and then multiplied by peak winter average daily vehicle miles traveled (VMT) to determine daily emissions. VMT was estimated for travel on roads within the Town of Mammoth Lakes

(in-town) and travel on highway California State Route (SR) 203 and U.S. Route 395 (out-of-town). In-town VMT for existing conditions was obtained from the Mammoth Mobility Element Transportation Impact Analysis. Out-of-Town VMT was estimated using average daily traffic from Caltrans for winter months in 2016 and the roadway segment lengths for SR 203 and US 395. Roadway emissions are presented in Table A2.

#### Resuspended Road Dust

The PM10 emission estimate for resuspended road dust is based on CARB Miscellaneous Process Methodology 7.9 for Entrained Road Travel, Paved Road Dust (CARB, 2016). This methodology is based on United States Environmental Protection Agency (USEPA) AP-42, Chapter 13.2.1. The emission factor is calculated as:

$$\text{Emission Factor} \left( \frac{g}{VMT} \text{ or } \frac{lb}{VMT} \right) = k(sL)^{0.91} \times (W)^{1.02}$$

Where,

k: particle size multiplier (g/VMT or lb/VMT) (defined in AP-42 as 1 g/VMT for PM10)

sL: roadway-specific silt loading (g/m<sup>2</sup>)

W: average weight of vehicles traveling on the road (California statewide default = 2.4 tons)

The silt loading factor was assumed to equal 8.7 g/m<sup>2</sup>, as provided in the 1990 and 2014 AQMP. With these inputs, the emission factor was calculated as 17.49 g/VMT. The emission factor calculation and resulting emissions from in-town and out-of-town resuspended road dust are presented in Table A3.

#### Tailpipe, Tire Wear, and Brake Wear

PM10 emissions from mobile source tailpipe, tire wear, and brake wear were estimated using CARB's latest emission factor model, EMFAC2014 (CARB, 2014). Tailpipe emission factors are dependent on vehicle speed. Consistent with the 2014 AQMP, it was assumed that vehicles travel in-town at a speed range of 5 to 45 miles per hour (mph) and out-of-town at a higher speed range of 5 to 65 mph. PM10 emission factors for these speed ranges were estimated by dividing the total daily PM10 emissions by total daily VMT for Mono County in the Winter period as output by EMFAC2014. Emission factors in g/VMT were then combined with the in-town VMT and out-of-town VMT to develop emission estimates. Emission factors and resulting emissions are presented in Table A4.

Tire wear and brake wear emission factors are not speed dependent. Emission factors for tire wear and brake wear were estimated as the VMT-weighted average of all vehicle types in Mono County. Emission factors in g/VMT were then combined with the in-town VMT and out-of-town VMT to develop emission estimates. Emission factors and resulting emissions are presented in Table A4.

#### Point Sources

The District issues permits to operate for stationary or point sources within the Mammoth Lakes Planning Area. Based on permitted sources, these emission sources include concrete batch plants, boilers, and diesel engines located at four in-town locations and six out-of-town locations. Emissions for point sources are shown in Table A5.

Table A 1. Residential Wood Combustion Emissions, Town of Mammoth Lakes 2017 Inventory										
Device Type	Emission Factor <sup>1</sup> (g PM10/ kg fuel)	Condominium			Single-Family			Mobile Homes and Apartments		
		Fuel Burned <sup>2</sup> (kg/device/ day)	Number of Devices <sup>3</sup>	PM10 Emissions (lb/day)	Fuel Burned <sup>2</sup> (kg/device/ day)	Number of Devices <sup>3</sup>	PM10 Emissions (lb/day)	Fuel Burned <sup>2</sup> (kg/device/ day)	Number of Devices <sup>3</sup>	PM10 Emissions (lb/day)
Fireplace	11.8	19	200	99	27	0	0	19	0	0
Woodstove (non-certified)	15.3	19	52	33	27	73	66	19	4	3
Woodstove (EPA certified) <sup>4</sup>	7.3	19	3,254	995	19	1,305	399	19	191	58
Pellet	1.5	9	524	16	11	184	7	14	28	1
									Total	
									1,677	761

Notes:

- <sup>1</sup> Emission factors obtained from CARB Miscellaneous Process Methodology 7.1 for Residential Wood Combustion. Available at: [https://www.arb.ca.gov/ei/areasrc/fullpdf/full7-1\\_2011.pdf](https://www.arb.ca.gov/ei/areasrc/fullpdf/full7-1_2011.pdf).
- <sup>2</sup> Fuel burned was obtained from Table 5-3 and Table 5-4 of the Town of Mammoth Lakes 2014 AQMP. Cord density is assumed to be 800 kg/cord, consistent with the 2014 AQMP.
- <sup>3</sup> Number of devices were estimated by modifying device counts in Table 5-1 of the Town of Mammoth Lakes 2014 AQMP with device change out and installation permits from the Town of Mammoth Lakes Building Permits Department for July 1, 2013 through June 30, 2017.
- <sup>4</sup> EPA certified indicates that the wood-burning device meets EPA Phase II emission regulations.

Table A2. Out-of-Town Vehicle Miles (VMT) Traveled, Town of Mammoth Lakes 2017 Inventory						
Highway Route	Direction	Segment Length <sup>1</sup> (miles)	Average Daily Traffic <sup>2</sup> (# vehicles/day)			Average Winter Daily VMT (miles/day)
			Jan-16	Feb-16	Mar-16	
203	Eastbound	1.55	3,953	4,224	4,286	6,440
203	Westbound	1.55	3,885	4,269	4,492	6,535
			Subtotal			12,975
395	Northbound	7.16	1,441	--	1,891	11,929
395	Southbound	7.24	1,634	--	--	11,830
			Subtotal			23,759
			Total			36,734

Notes:

<sup>1</sup> Road segment length measured based on Google Earth Aerial Imagery.

<sup>2</sup> Data obtained from Caltrans Daily Detail Counts for All Vehicles. Station 921 used for Hwy 203. Station 907 used for Hwy 395.

Table A3. Resuspended Road Dust and Cinders Emissions, Town of Mammoth Lakes 2017 Inventory						
Road Type	Particle Size Multiplier <sup>1</sup> , k (g/VMT)	Silt Loading <sup>2</sup> , sL (g/m <sup>2</sup> )	Average Vehicle Weight <sup>1</sup> , W (tons)	PM10 Emission Factor <sup>1</sup> (g/mile)	Mammoth Lakes Planning Area VMT <sup>3,4</sup> (miles/day)	PM10 Emissions (kg/day)
In-Town	1	8.7	2.4	17.49	152,844	2,673
Out-of-Town	1	8.7	2.4	17.49	36,734	642
Total					7,310	3,316

Notes:

<sup>1</sup> PM10 road dust emission factor is estimated using methodology, particle size multiplier, and average vehicle weight from CARB Miscellaneous Process Methodology 7.9 (CARB, 2016)

<sup>2</sup> Silt loading obtained from Town of Mammoth Lakes 1990 Air Quality Management Plan.

<sup>3</sup> In-Town Vehicle Miles Traveled (VMT) for Existing Conditions obtained from Mammoth Mobility Element Transportation Impact Analysis by LSC Transportation Consultants, Inc.

<sup>4</sup> Out-of-Town VMT on Route 203 and Route 395 estimated using CalTrans ADT and roadway length.

Table A4. Vehicle Tailpipe, Tire Wear, and Brake Wear Emissions, Town of Mammoth Lakes 2017 Inventory										
Road Type	Speed Range	PM <sub>10</sub> Running Exhaust		Tire Wear Emission Factor <sup>3</sup> (g/mile)	Brake Wear Emission Factor <sup>3</sup> (g/mile)	Mammoth Lakes Planning Area VMT <sup>4,5</sup> (miles/day)	PM <sub>10</sub> Emissions (lb/day)			Total
		EMFAC2014 VMT <sup>1</sup> (miles/day)	EMFAC2014 Emissions <sup>1</sup> (tons/day)				Running Exhaust	Tire Wear	Brake Wear	
In-Town	5-45 mph	435,928	0.005	0.011	0.043	152,844	3.63	3.25	14.50	21.38
Out-of-Town	5-65 mph	949,061	0.008	0.008	0.043	36,734	0.62	0.78	3.48	4.88
<b>Total</b>							<b>4.25</b>	<b>4.03</b>	<b>17.98</b>	<b>26.27</b>
							<b>1.93</b>	<b>1.83</b>	<b>6.58</b>	<b>11.91</b>

Notes:

- 1 EMFAC2014 VMT and emissions represent total VMT and emissions for all of Mono County.
- 2 Running exhaust emission factor is estimated as total emissions in Mono County divided by total VMT in Mono County.
- 3 Tire wear and brake wear emission factors are estimated as the VMT-weighted average of emission rates for all vehicles in Mono County.
- 4 In-Town VMT for Existing Conditions obtained from Mammoth Mobility Element Transportation Impact Analysis by LSC Transportation Consultants, Inc.
- 5 Out-of-Town VMT on Route 203 and Route 395 estimated using CalTrans ADT and roadway length.

Table A5. Industrial (Point) Source Emissions, Town of Mammoth Lakes 2017 Inventory						
Facility Name	Location	Number of Source Type <sup>1</sup>			PM Emissions <sup>1</sup>	
		Concrete Batch Plant <sup>2</sup>	Boiler	Diesel Engine	Peak Day (lb/day)	Peak Day (kg/day)
7/11 Materials	Out-of-Town	1	--	--	-- <sup>2</sup>	-- <sup>2</sup>
California Department of Fish and Game - Hot Creek	Out-of-Town	--	--	1	0.09	0.04
Mammoth Hospital	Out-of-Town	--	7	2	7.54	3.42
Mammoth Mountain Ski Area	In-Town	--	4	28	9.15	4.15
Mammoth Pacific	Out-of-Town	--	--	2	0.12	0.06
Marzano & Sons	Out-of-Town	1	--	--	-- <sup>2</sup>	-- <sup>2</sup>
Monache Condominium Owner's Association	In-Town	--	--	1	0.12	0.05
Verizon (Mammoth High School)	In-Town	--	--	1	0.08	0.04
Verizon California - Mammoth Lakes	In-Town	--	--	1	0.06	0.03
In-Town Total					9.4	4.3
Mammoth Lakes Planning Area Total					17.2	7.8

Notes:

- 1 Data obtained from Great Basin Unified Air Pollution Control District emission inventory for permitted facilities in Mammoth Lakes Planning Area.
- 2 Daily emissions from the concrete batch plants are excluded, as these emissions occur outside of the peak period.

Table A6. Peak 24-hour PM10 Emissions Summary, Town of Mammoth Lakes 2017 Inventory								
Emission Source	2017 Inventory (lb/day)		2014 AQMP Inventory (lb/day)		2017 Inventory (kg/day)		2014 AQMP Inventory (kg/day)	
	In-Town	Planning Area Total	In-Town	Planning Area Total	In-Town	Planning Area Total	In-Town	Planning Area Total
Residential Wood Combustion	1,677	1,677	1,874	1,874	761	761	850	850
Road Dust and Clinders	5,893	7,310	5,560	7,617	2,673	3,316	2,522	3,455
Tailpipe, Tire & Brake Wear	21	26	20	24	10	12	9	11
Industrial Sources	9	17	9	18	4	8	4	8
<b>Total</b>	<b>7,601</b>	<b>9,030</b>	<b>7,463</b>	<b>9,533</b>	<b>3,448</b>	<b>4,096</b>	<b>3,385</b>	<b>4,324</b>

## **References**

- 52 FR 24634. Federal Register, Revisions to the National Ambient Air Quality Standards for Particulate Matter, July 1, 1987.
- 52 FR 29384. Federal Register, Group I PM10 Area Classification. August 7, 1987.
- 56 FR 11101. Federal Register, Determination of Attainment for PM10. March 15, 1991.
- 72 FR 13560. Federal Register, Treatment of Data Influence by Exceptional Events, March 22, 2007.
- 80 FR 60049. Federal Register, Air Plan Approval; California; Mammoth Lakes; Redesignation; PM10 Maintenance Plan. October 5, 2015.
- Calcagni, 1992. Calcagni, John, Procedures for Processing Requests to Redesignate Areas to Attainment, US EPA, September 4, 1992.
- Caltrans, 2017. Traffic Counts on Highways 203 and US 395 in Mammoth Lakes Planning Area (2014-2017), Caltrans.
- CARB, 2014. EMFAC2014. Mobile Source Emissions Inventory. Available at: <https://www.arb.ca.gov/emfac/2014/>.
- CARB, 2015. CARB Miscellaneous Process Methodology 7.1 for Residential Wood Combustion. Available at: [https://www.arb.ca.gov/ei/areasrc/fullpdf/full7-1\\_2011.pdf](https://www.arb.ca.gov/ei/areasrc/fullpdf/full7-1_2011.pdf).
- CARB, 2016. CARB Miscellaneous Process Methodology 7.9. Available at: [https://www.arb.ca.gov/ei/areasrc/fullpdf/full7-9\\_2016.pdf](https://www.arb.ca.gov/ei/areasrc/fullpdf/full7-9_2016.pdf).
- Ono, 1990. Ono, Duane, William Taylor and Debra Lawhon. Air Quality Management Plan for the Town of Mammoth Lakes, Great Basin Unified Air Pollution Control District and the Town of Mammoth Lakes, Bishop, CA, November 30, 1990.
- Ono, 2014. Ono, Duane, William Taylor and Jen Daugherty. Air Quality Management Plan for the Town of Mammoth Lakes, Great Basin Unified Air Pollution Control District and the Town of Mammoth Lakes, Bishop, CA, May 5, 2014.



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537  
Tel: 760-872-8211 Fax: 760-872-6109

### BOARD REPORT

**Mtg. Date:** January 11, 2018

**To:** Governing Board

**From:** Tori DeHaven, Clerk of the Board

**Subject:** Travel Report

---

#### **Summary:**

Guy Davis Christine Holt Lajos Kurucz	11/6 – 11/9	Air Quality Measurement Methods and Technology Conference	Long Beach, CA
---	-------------	---	----------------

Phill Kiddoo Ann Logan Nik Barbieri	11/20 – 11/21	Owens Lake Cultural Resource Task Force	Los Angeles, CA
---	---------------	--	-----------------

Susan Cash	12/3 – 12/9	CalPELRA Annual Training	Monterey, CA
------------	-------------	--------------------------	--------------

#### **Board Action:**

None. Information only.



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 Fax: 760-872-6109

### BOARD REPORT

**Mtg. Date:** January 11, 2018

**To:** District Governing Board

**From:** Guy Davis, Air Monitoring Technician II

**Subject:** Air Quality Measurement Methods and Technology Conference Travel Report

---

#### **Summary:**

Guy Davis (Air Monitoring Technician II), Christine Holt (Air Monitoring Technician I) and Lajos Kurucz (Air Monitoring Technician II) attended the Air and Waste Management Association's Air Quality Measurement Methods and Technology Conference in Long Beach, California, November 6-9, 2017. There were over 200 attendees at the conference and 66 presentations were made. In his keynote address, Michael Benjamin, Chief of the Monitoring and Laboratory Division of the California Air Resources Board, presented a review of the significant reductions in air pollution that have been made in the Southern California area over the last 50 years. He further discussed current and future priorities for the air monitoring community at large.

District staff also attended the training session, "Optimizing Quality Assurance for Ambient Air Monitoring Programs," with instructors from South Coast Air Quality Management District and US EPA Region 9, who are widely known for their Quality Assurance expertise. The session presenters gave an excellent overview of the Quality Assurance process and procedures, especially for new District staff members that have not had the opportunity to attend previous trainings or conferences.

The conference presented a great opportunity for new staff to get a broader sense of the work the District does. Additionally, with 27 vendor booth displays, District staff was able to talk with many of the vendors utilized by the District about current equipment operations and upcoming potential upgrades to the District network. Staff was also able to meet with other agencies that are working with the new Teledyne-API T-640 Particulate Monitor that the District is currently adding to our network. The conference was an excellent opportunity for continuing education for staff, as well as to establish or maintain relationships with other agencies and the vendors that supply the District's monitoring and support equipment.

#### **Board Action:**

None. Information only.



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 Fax: 760-872-6109

### BOARD REPORT

**Mtg. Date:** January 11, 2018

**To:** District Governing Board

**From:** Susan Cash, Administrative Projects Manager

**Subject:** California Special Districts Association's Special District Board  
Member/Trustee Handbook

---

#### **Summary:**

The Great Basin Unified Air Pollution Control District (District) is a California Special District and active California Special District Association (CSDA) member. The CSDA Member/Trustee Handbook (Attachment 1) has been developed by the CSDA for board representatives to provide core information regarding roles and responsibilities. This material is presented for reference and informational purposes only.

#### **Fiscal Impact:**

None.

#### **Board Action:**

None. Informational only.

#### **Attachment:**


1. California Special Districts Association's Special District Board Member/Trustee Handbook



**California Special  
Districts Association**

*Districts Stronger Together*

# **SPECIAL DISTRICT BOARD MEMBER/TRUSTEE HANDBOOK**



Printing made possible by the  
California Special Districts Alliance,  
a partnership between CSDA,  
the CSDA Finance Corporation  
and the Special District  
Risk Management Authority  
(SDRMA).

# CONTENTS

<b>02</b>	<b>WHAT YOU SHOULD KNOW AS A BOARD MEMBER/TRUSTEE</b> Commitment and Responsibilities Accountability: The Role of Staff & the General Manager “Why Governance is Important”
<b>05</b>	<b>LEARNING MORE ABOUT SPECIAL DISTRICTS</b>
<b>07</b>	<b>ETHICS LAWS FOR ELECTED AND APPOINTED OFFICIALS</b>
<b>08</b>	<b>THE RALPH M. BROWN ACT</b>
<b>09</b>	<b>YOUR ROLE AS A SPECIAL DISTRICT ADVOCATE</b>
<b>12</b>	<b>CALIFORNIA SPECIAL DISTRICTS ASSOCIATION</b> Benefits and Services Educational Opportunities A More Active and Visible Approach
<b>16</b>	<b>THE MEDIA</b> Key Messages Responses to Tough Questions

### **Board Member/Trustee Roles**

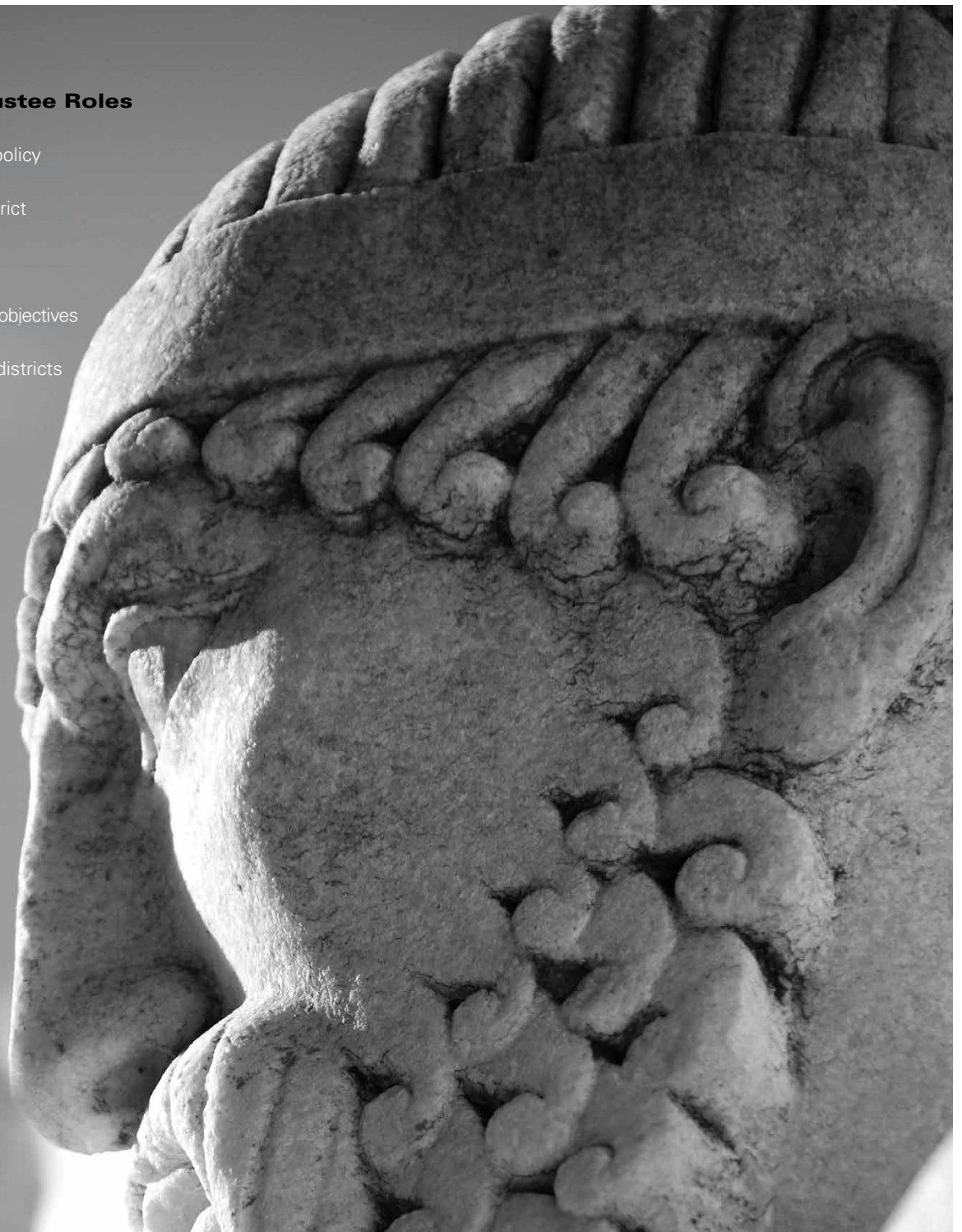
Make and approve district policy

Set the direction of the district

Make decisions

Establish strategic goals and objectives

Be an advocate for special districts



# WHAT YOU SHOULD KNOW

## as a Special District Board Member/Trustee

### Commitment and Responsibilities

As a board member or trustee for a special district, you have committed to serve the best interests of the community, provide services that are essential to the community and represent the people who placed you into office.

With a strong commitment, there are a number of responsibilities as a board member/trustee on a special district board. Some of these will be identified and detailed in this handbook so that you will have an even better understanding of special districts and your role as a board member/trustee.

One of the most significant responsibilities as a board member/trustee is to understand that the board is a team and you need to work together as such. Understanding the dynamics of the group as well as the individual perspectives and opinions of the other board members that you sit with is crucial to the success of the team and district you represent. This united approach will help to strengthen the district and provide the grounds for maintaining a clear vision of the future, a unity of purpose and a cohesive board of board members/trustees.

Additionally, the board of board members/trustees typically has specific responsibilities that coincide with their overall role as board members/trustees. For example, in the area of human resources, the board's charge is to support and assess the performance of the general manager, approve personnel policies, establish salary structure and benefits packages, approve job descriptions and organizational structure, and establish a strong communications link between the board and general manager.

Another example of specific responsibilities can be seen when taking a look at some of the financial aspects of the district. Typically, the board will ensure that sound fiscal policy exists and that practices and controls are in place so that the district, staff, general manager, and board have direct accountability to their constituents. Furthermore, a board may be involved in such things as the approval of the annual budget, developing reserve guidelines, establishing financial goals, reviewing district finances, developing capital improvement plans, setting rates and fees, and the like.

Clearly, as demonstrated above, being a board member/trustee on a special district board entails a commitment to being actively involved in setting the direction of the district and, most importantly, serving the best interests of the community and the constituents that the district serves.

### Accountability

Special districts, governing officials, and management are accountable to the voters and customers who use their services. Every special district must submit annual financial reports to the California State Controller and also must follow state laws pertaining to public meetings, bonded debt, record keeping, conflict of interest, and elections. Special districts are also required to submit salary data annually to the State Controller.

### The role of staff and the general manager

The roles of the staff and general manager are very different from that of the board members/trustees, and it is important to understand what the responsibilities and reporting avenues are of each respective group.

The general manager and staff of the district are encouraged to make recommendations and play an active role in moving the district forward. Their main role is to maintain and advance the operations of the district and implement those policies, strategies, and directives that are approved by the board of board members/trustees. All directives for staff should be given by the general manager or designated supervisor within the district.

The general manager is the executive staff officer of the district and for the board of board members/trustees. He/she administers the district and has exclusive management and control of the operations and works of the district, subject to approval by the board of board members/trustees, and provides day-to-day leadership for the district. He/she delegates authority at his/her discretion and has authority over and directs all employees, including hiring, disciplinary action and termination. He/she seeks to carry into effect the expressed policies of the board of board members/trustees, including planning the short, medium, and long term work program for the district, facilitating constructive and harmonious board relations, preparing and managing the district budget, conducting studies, and delivering written and oral presentations.

### OVERALL, YOUR ROLE AS A BOARD MEMBER/TRUSTEE IS TO:

- MAKE AND APPROVE DISTRICT POLICY
- SET THE DIRECTION OF THE DISTRICT
- MAKE DECISIONS
- ESTABLISH STRATEGIC GOALS AND OBJECTIVES
- BE AN ADVOCATE FOR SPECIAL DISTRICTS

# WHY GOVERNANCE IS IMPORTANT

By Davis Campbell, Governance Consultant | Trainer



**Local boards are the reason, and really the only reason, why local control is local. Special district boards are the voices of the community. Boards are also a large reason why special districts exist.**

The truth is that every elected or appointed public official needs to worry about governance; governance is what boards do. Governance is taking the wishes, needs, and desires of the community and transforming them into policies that govern the district. Survival of special districts as a concept depends in large part on how well we do our jobs as board members/trustees or trustees. The quickest way to destroy special districts is for the public to perceive districts as not responsive to the needs of the community or as not being governed effectively.

## **If governance is important, how do we do it well?**

The good news is that in recent years a lot of work has been done on effective governance. Based upon a model developed by the California School Boards Association (CSBA) and adapted by the California Special Districts Association (CSDA), there are three critical dimensions to effective governance. The CSBA Effective Governance Model provides an in-depth examination of the three critical dimensions that interact to determine how a board operates and its effectiveness as an organization.

- First, the model looks at the board as an organizational entity;
- Second, the individuals who serve as effective board members and make up the board;
- And third, the specific jobs the board must perform.

All three of these dimensions or elements of a board must be viewed as a whole in order to truly develop an effective governance operation.

## **Components of the Effective Governance Model**

### **The board as an organization**

Any board, public or private, nonprofit or corporate, exists as an organizational entity, with its own unique organizational culture, norms, values, and operating style. There are attributes or characteristics that are consistently present in boards that operate in a highly effective way. Effective boards become known as effective because they operate in an organizational environment of trust, honesty and openness. These boards exhibit, as a team, the following characteristics:

- All board members are perceived to be equally legitimate—no matter how different or difficult an individual may be.
- The board strives to maintain a “no secrets, no surprises” operating norm.
- The board recognizes and accepts that conflicts and differences are inevitable, not necessarily “bad,” and must be faced and analyzed.
- The effective board tends to immediately turn to solutions rather than playing the “gotcha” game.
- The effective board treats all staff with dignity and respect.
- The effective board treats all community members with dignity and respect, even in the face of criticism and opposition.
- The effective board exhibits creative thinking, knows how to handle failure as well as success, encourages risk taking and creates a climate of support for excellence.
- The effective board assumes collective responsibility for the conduct, behavior and effectiveness of the board.

### **The board leader**

While boards develop unique organizational cultures, they are, after all, composed of individuals. It is individuals and their values, skills, and knowledge that shape how boards operate at any given time. Individuals also determine whether the board will sustain effective behavior as a group role.

Not everyone who serves on a special district board becomes an effective board member or leader. Those who do become effective board members also become highly valued community leaders. When an entire board is composed of truly effective board members rather than individuals, the board becomes highly effective.

So, what are the characteristics of effective board members and how are they different than those who just serve on boards?

- Effective board members think about governance differently. They have distinctly different attitudes from non-effective board members. Effective board members understand the fundamental role of the citizen leader in the governance of special districts.

For example, effective board members understand fundamental principles of effective governance. They understand that the authority of any board member rests only with the board as a whole; that the board, not the individual board member, governs the special district. They tend to worry when an individual is attempting to impose his own agenda on the district rather than working to build support for an institutional agenda.

- Effective board members know that how a board member governs is as important as what a board member does. They know that manners make a huge difference.
- Effective board members work hard to make the team successful.
- Effective board members understand they need to establish trust. They treat everyone with respect, and expect others to treat them the same way.
- Effective board members respect the diversity of perspective and styles.
- Effective board members always keep confidential information confidential.

### **What effective boards do: The special district board's job in the district**

The third dimension addresses the specific responsibilities of the governing board. We know that effective boards have strong competency-based cultures and that individual effective board members have strong governance skills, but the third question is: To do what? What are the duties and responsibilities of boards in the systems? The answer is that special district boards have certain responsibilities that no one else in the system can perform.

The specific responsibilities of the board are clustered into four areas: setting the direction for the district; establishing and supporting the structure of the district; holding the district accountable on behalf of the community; and serving as community leaders.

These are the essences of effective district governance: a competency-based, highly effective board organization and culture; individual citizens serving as effective board members, accomplishing the specific duties and responsibilities that only governing boards can do on behalf of their communities.

The real challenge to special districts is how to learn and achieve as board members. There are governance skills required and to be learned in order to be effective. But first, we must establish a culture of participation in our special district community. Every board member must understand that, just as we expect our staff to be involved in their profession, to learn and develop new skills, so too must we as effective board members learn and hone our governance skills. We must encourage our colleagues to branch out and learn the skills of governance. We must establish a culture of participation and continuing education in the special district community. The future of special districts in California depends upon it.



### **SPECIAL DISTRICT RESOURCES**

California Special Districts Association  
[www.csda.net](http://www.csda.net)  
Senate Local Government Committee  
[www.sen.ca.gov](http://www.sen.ca.gov)  
Assembly Local Government Committee  
[www.assembly.ca.gov](http://www.assembly.ca.gov)  
Official California Legislative Information  
[www.leginfo.ca.gov](http://www.leginfo.ca.gov)  
League of California Cities  
[www.cacities.org](http://www.cacities.org)  
California State Association of Counties  
[www.counties.org](http://www.counties.org)  
California Local Government Finance Almanac  
[www.californiacityfinance.com](http://www.californiacityfinance.com)  
California Association of LAFcos  
[www.calafco.org](http://www.calafco.org)  
Governor's Office of Planning & Research  
[www.opr.ca.gov](http://www.opr.ca.gov)  
California State Controller's Office  
[www.sco.ca.gov](http://www.sco.ca.gov)  
California Legislative Analyst's Office  
[www.lao.ca.gov](http://www.lao.ca.gov)  
Special District Leadership Foundation  
[www.sdlf.org](http://www.sdlf.org)  
Special District Risk Management Authority  
[www.sdrma.org](http://www.sdrma.org)  
CSDA Finance Corporation  
[www.csdafinance.net](http://www.csdafinance.net)

# LEARNING MORE

## about Special Districts

### What are special districts?

Special districts are a form of local government. They are created by their constituents to meet specific service needs for their communities. Most perform a single function such as water delivery, fire protection, wastewater or cemetery management to name just a few. Some, like community services districts, provide multiple services.

Special districts are not cities and counties, they are not school districts, they are not Mello-Roos districts, and they are not state government. Special districts work hand-in-hand with cities and counties to provide communities with essential public services and to keep pace with the demands of fulfilling all the public service needs of California's rapidly growing population.

### What kinds of special districts are out there ... to name a few?

- Airport
- Public Cemetery
- Community services
- Drainage
- Flood control
- Fire protection
- Healthcare/hospital
- Harbor/port
- Irrigation
- Library
- Mosquito abatement and vector control
- Police protection
- Reclamation
- Recreation and park
- Open space
- Resource conservation
- Sanitation/wastewater
- Transit
- Utility
- Water
- Water conservation
- Waste management

### How does a special district differ from a city or county?

Special districts are limited-purpose local governments. They provide only the services their residents desire within a designated, limited boundary. By contrast, cities and counties are general-purpose local governments. They provide a broad array of services for residents throughout their geographic boundaries. Furthermore, counties in unincorporated areas, and cities are responsible for land-use decisions.

### What is the difference between independent special districts and dependent special districts?

Independent special districts are governed by their own boards of board members/trustees who are elected by voters or appointed to fixed terms by elected officials in their districts. These boards do not consist of ex officio members who are officers of the county or another local agency. About two-thirds of the state's special districts are independent special districts.

Dependent special districts are governed by other, existing legislative bodies such as a city council or a county board of supervisors, or appointees that serve at the pleasure of those bodies and can be removed or replaced any time at their will.

### How are special districts funded?

Special districts are funded either through local property tax revenues, fees charged to customers for their services or a combination of the two. Special districts that rely primarily on property tax revenues are considered non-enterprise, while districts that primarily generate revenue through fees for service are considered enterprise.



FIND OUT MORE AT  
[WWW.CSDA.NET!](http://WWW.CSDA.NET)

### How are special districts created?

Special districts require majority-vote approval by citizens in the proposed district to be created, or a two-thirds vote if a new tax is required to fund the district's operations. When residents or landowners want new services or a higher level of service not otherwise provided by cities and counties, they can propose to form their own special district to pay for and administer the services by applying to the Local Agency Formation Commission (LAFCo).

### What is Proposition 13?

Proposition 13, enacted by voters in 1978, imposed strict limits on property taxes to one percent of property value, causing special districts, cities and counties to lose much of their local control and funding security. Before Prop 13, special districts received \$945 million from property taxes (1977-1978). Shortly after Prop 13 was imposed (1978-1979), special district property tax revenue dropped to \$532 million, a loss of almost 50 percent.

### What is ERAF?

ERAF is the Educational Revenue Augmentation Fund. During the recession of the early 1990s, the state took property taxes from special districts, cities and counties and shifted them into ERAF to offset its debt and spending obligations to education. That mandated property tax shift of precious local government revenue continues today despite the fiscal hardships it has caused local governments. Since ERAF began in 1992, the state has annually shifted over \$500 million in local property tax revenue from special districts.

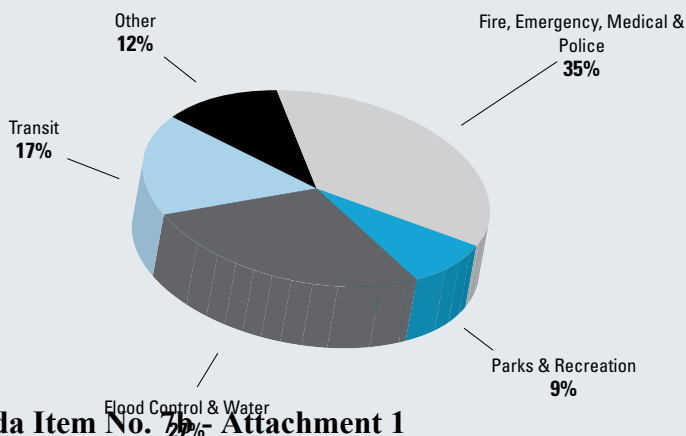
### What is Proposition 1A?

Proposition 1A limited the state's future ability to transfer funds away from local governments, except in the case of fiscal emergencies. The amount is limited to eight percent of property tax revenues in a county and must be paid back within three years, with interest.

### What is LAFCo?

Local Agency Formation Commissions (LAFCo) are responsible for coordinating logical and timely changes in local governmental boundaries, conducting special studies that review ways to reorganize, simplify and streamline governmental structure and preparing a Sphere of Influence for each city and special district within each county. The LAFCo's efforts are directed to seeing that services are provided efficiently and economically while agricultural and open-space lands are protected.

### Where do special district tax dollars go?



# ETHICS LAWS

## For Elected or Appointed Officials



**Elected and appointed officials have an obligation to conduct business in an ethical manner and make decisions that are in the best interests of their constituents. As a board member/trustee for a special district, it is imperative that you keep the public's interests in mind and avoid any situations where your self interests are put first. Building the public's confidence and trust by demonstrating your ability to recognize potential ethics problems and then removing yourself from that situation is a key factor to your success as a board member/trustee.**

There are a number of state laws that govern the ethical conduct of public officials. The most significant laws deal with conflict of interest and criminal activity/corruption as it relates to public officials and how they make decisions within their respective agencies.

Under the Political Reform Act, a public official may not participate in any way in a decision in which the public official has a "disqualifying conflict of interest." The law states that:

"No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest."

*California Government Code §87100*

As this applies to special districts, a conflict of interest regarding a particular district decision would exist if it were "... reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family ..." or any of one's other financial interests.

*California Government Code §87103*

In essence, the most important things you need to know about the Political Reform Act are:

- The law applies only to financial conflicts of interest—those arising from economic interests.
- Whether you have a conflict of interest depends heavily on the situation related to each district decision.
- The best way to avoid conflict of interest problems is to learn and recognize the various economic interests from which conflicts can arise.

In addition to the conflict of interest laws, public officials must also disclose all personal economic interests. Special district officials are affected through their respective district's conflict of interest code/policies that a district is required to have by law. Therefore, as a public official, you are required to file a "Statement of Economic Interests" with the Fair Political Practices Commission when

you begin your term, annually and when you end your term.

In the Statement of Economic Interests, public officials are required to disclose all sources of income as well as interests in real property, investments, gifts and the like. Given that it's the law and also that the public, including media, have full access to statements of economic interests, it is recommended that officials be completely open, honest and always disclose all financial interests as this could help prevent future problems.

There are numerous other legal "dos" and "don'ts" for public officials, many of which deal with personal loans, gifts, free travel, payments, honoraria, contracts and holding dual offices. It is recommended that officials research all of the specifics of the laws related to their position.

Lastly, there are additional laws that affect public officials and violation of them may not only cause you to lose your position, but also may result in criminal penalties. According to the publication *A Local Official's Guide to Ethics Laws* (2002 Edition) some areas that can result in criminal prosecution and/or forfeiture of office include:

- Bribery
- Payments for appointments to office
- Willful or corrupt misconduct in office
- Embezzlement
- Misuse of public funds
- Violation of the Open Meetings Law/Brown Act
- Prohibited political activities
- Conviction of a crime

As can be seen above, public officials are held accountable for their actions both by their constituents who elect them and by the law. As an elected or appointed official

# THE RALPH M. BROWN ACT

California Government Code §54950-54962

for a special district, it is your responsibility to promote ethical conduct within your district and understand the ethics laws to ensure that you are always keeping the interests of your constituents in the forefront.

## AB 1234 and ethics training requirement

In 2005, the State Legislature passed Assembly Bill 1234 by Assembly Member Simon Salinas (D-Salinas), which requires local government officials to take ethics training every two years, with a requirement that they take their first training no later than a year after they start their first day of service with the district. This and similar legislation were proposed after incidences that occurred in several districts over lapses in ethical judgement.

Specifically, if a district provides any type of compensation, salary or stipend to any board member or provides any type of expense reimbursement, then all members of that board must participate in the ethics training, as well as any designated employees (like the general manager). The training must be at least two hours every two years, and a record must be kept by the district. These are public records and are subject to the California Public Records Act.

### PUBLIC OFFICIAL ETHICS LAW RESOURCES

California Special Districts Association  
[www.csda.net](http://www.csda.net)

Institute for Local Government  
[www.ca-ilg.org](http://www.ca-ilg.org)

Fair Political Practices Commission  
[www.fppc.ca.gov](http://www.fppc.ca.gov)

Official California Legislative Information  
[www.leginfo.ca.gov](http://www.leginfo.ca.gov)

Office of the Attorney General  
[www.ag.ca.gov](http://www.ag.ca.gov)



The basis of the Ralph M. Brown Act is that "All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency ..."

While the Brown Act has gone through a series of additions and amendments, the core of the Act remains the same: to ensure that the meetings of local government bodies, formal or informal, be open and accessible to the public at all times.

## The Act begins by stating the following:

"In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not

good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."

As public agencies, special districts must comply with the Brown Act. This means meetings must be open to the public and agendas posted in a location accessible to the public and on the district website if it has one.

The Brown Act is very detailed as to what is permissible and is amended periodically. It is recommended that public officials read the Ralph M. Brown Act in its entirety and receive some type of training and/or read various publications on the Act.

### BROWN ACT RESOURCES

Open & Public IV: A User's Guide to the Ralph M. Brown Act  
[www.csda.net](http://www.csda.net)

Search CA law/codes  
[www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html)

Education/Trainings  
[www.csda.net](http://www.csda.net)

# YOUR ROLE

## AS A SPECIAL DISTRICT ADVOCATE



The special district community and its governing officials, more than ever, are coming together to create a presence and united voice. The California Special Districts Association (CSDA) is continuing to work to increase the visibility of special districts with key decision-makers and create a network of activists throughout California. All special district officials should play an active role in educating other local officials and legislators on special districts and the issues that impact their resources and services.

Special districts can no longer sit idle as competing interests vie for shrinking state resources. The time for active engagement is now!

Ever looming state budget deficits have necessitated increased legislative advocacy and grassroots engagement by special district officials in a more active and visible manner. It is the job of every elected official to educate state legislators early about special districts and gain support for protecting local revenues and services.

### **Meet with legislators**

One of the key roles you can play as a board member/trustee and special district advocate is to meet with your legislators. Cultivating relationships with decision makers is essential; it is the most significant advocacy role you can play as a special district official. Meetings can be as simple as stopping by your legislator's



**DOWNLOAD  
CSDA'S  
GRASSROOTS  
ADVOCACY GUIDE.  
[WWW.CSDA.NET](http://WWW.CSDA.NET)**

local office to introduce yourself and the special district you represent, or even setting up a formal appointment to discuss issues that are facing your district and special districts in general.

Another possibility is to hold a breakfast or coffee event and invite the legislator and his or her staff to attend, or to take them on a tour of your facility. CSDA's Advocacy & Public Affairs Department can help districts set meetings with their legislators in the district or the Capitol. These are the most effective types of meetings.

### **Respond to Calls to Action**

Throughout the legislative session, you may receive a "Call to Action" from various organizations, including CSDA. These Calls to Action typically pertain to a particular piece of legislation that will affect your district. It is imperative that you take a moment to review the information and take action! A visit, phone call, fax, email or letter to your legislator can make a huge difference on issues that could affect your district, and how it operates.

CSDA also regularly updates its Grassroots Action Center with the top legislative issues facing special districts, including tools that help districts take action such as sample letters. If your district is new to such efforts, CSDA offers members a Grassroots Advocacy Guide as well as sample policies for taking a position on legislation.

### **Get involved at the local and state levels**

CSDA encourages all special district staff and board members/trustees to get involved in activities and events throughout the state. This includes participation in local special district chapters and LAFCo meetings, as well as statewide functions like CSDA's annual Special Districts Legislative Days. These are opportunities to learn and discuss the major issues of the year, as well participate in visits with legislators in the Capitol.

CSDA has a Grassroots Mobilization Survey, which asks board members and staff if they know a particular legislator, and how well they know that legislator. At specific points

during the legislative session, respondents will be asked to make a phone call or two to that legislator to support a bill that promotes special districts or to oppose legislation that would harm districts. If you know a legislator, be sure to fill out the Grassroots Mobilization Survey.

### **Work together with cities, counties and other special districts**

Much like the special district you represent, the cities, counties and other special districts near you play an integral role in your region. As a board member/trustee, you should work to establish strong relationships and help to create an atmosphere that is conducive to sharing information and ideas with other local agencies.

Get to know other elected officials in your area. This will help you to better understand issues facing other local governments and can also assist in identifying issues that each agency may have in common. Partnering with cities, counties and other special districts on common issues can bring additional influence to a specific cause or legislative matter and result in benefiting each agency's constituents.



### **RESOURCES FOR BECOMING A SPECIAL DISTRICT ADVOCATE**

California Special Districts Association (CSDA)  
[www.csdanet.org](http://www.csdanet.org)

League of California Cities  
[www.cacities.org](http://www.cacities.org)

California State Association of Counties  
[www.counties.org](http://www.counties.org)

California Association of LAFCOs  
[www.calafco.org](http://www.calafco.org)

California State Senate  
[www.senate.ca.gov](http://www.senate.ca.gov)

California State Assembly  
[www.assembly.ca.gov](http://www.assembly.ca.gov)

## IN SUMMARY

In summary, being a special district board member/trustee is an important job and one that should be taken seriously. Clearly, the position requires that elected or appointed officials wear numerous hats and be knowledgeable in a wide range of areas. The California Special Districts Association (CSDA) has developed this handbook to provide board members/trustees with some of the core information that is needed to be an effective and productive official within a special district. CSDA encourages officials to do further research, use the resources referenced throughout the handbook, participate in continuing education opportunities and seek the expertise of legal counsel where appropriate.

Most importantly, use CSDA as the first resource on special district issues. We welcome any feedback on this handbook or how CSDA can better serve special districts in California. 877-924-2732.

---

**" The most remarkable thing about our country is that; ordinary citizens control almost every major institution, public and private ... Does this make sense? What it makes is a democracy. We, the people, govern ourselves."**

*Henry N. Brickell, Regina H. Paul in Time for Curriculum*

---



**California Special  
Districts Association**  
*Districts Stronger Together*

1112 I Street, Suite 200  
Sacramento, CA 95814  
toll-free: 877.924.2732  
[www.csda.net](http://www.csda.net)

© CSDA 2015-2016



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 Fax: 760-872-6109

[www.gbuapcd.org](http://www.gbuapcd.org)

### BOARD REPORT

**Mtg. Date:** January 11, 2018

**To:** District Governing Board

**From:** Susan Cash, Administrative Projects Manager

**Subject:** Contracts Less than \$10,000 or Otherwise Within the APCO's Authority

---

The District's purchasing, bidding and contracting policy allows the Air Pollution Control Officer (APCO) to execute leases, contracts and purchase orders for consultant and contractor services when the value is less than or equal to \$10,000. The APCO can also execute contract change orders or amendments when the value of the change order is less than 10% of the contract price or \$25,000, whichever is less. The policy requires the APCO to inform the Board of all such contracts or leases at the Board's next meeting.

Since the last report to the Board, the APCO has executed the following leases, consultant and contractor contracts, or contract amendments:

Contract Amendments with Ramboll Environ.

The APCO executed Contract Amendments No.1 and No. 2 with Ramboll Environ. Amendment No. 1 was an addition of Task 2 – Hydrologic Evaluation Services, increasing the total contract from \$280,000 to \$305,000. This \$25,000 increase in the contract was less than the 10% total initial contract total, and therefore was within the APCO's authority. Amendment No. 2 was a revision of titles and hourly rates after renaming of positions and a new billing system within Ramboll. This amendment did not change the overall contract cost.

**Board Action:** None. Information only.



## **GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT**

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 Fax: 760-872-6109

### **BOARD REPORT**

**Mtg. Date:** January 11, 2018

**To:** District Governing Board

**From:** Phillip L. Kiddoo, Air Pollution Control Officer

**Subject:** Air Pollution Control Officer Report

---

A verbal report will be given at the meeting.

# 2018

Regular Meetings of the GBUAPCD Governing Board  
2<sup>nd</sup> Thursday of odd Months

## JANUARY

s	m	t	w	t	f	s
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## FEBRUARY

s	m	t	w	t	f	s
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

## MARCH

s	m	t	w	t	f	s
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## APRIL

s	m	t	w	t	f	s
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## MAY

s	m	t	w	t	f	s
1	2	3	4	5		
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## JUNE

s	m	t	w	t	f	s
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

## JULY

s	m	t	w	t	f	s
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## AUGUST

s	m	t	w	t	f	s
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## SEPTEMBER

s	m	t	w	t	f	s
					1	
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

## OCTOBER

s	m	t	w	t	f	s
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## NOVEMBER

s	m	t	w	t	f	s
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

## DECEMBER

s	m	t	w	t	f	s
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Great Basin Unified APCD  
157 Short Street  
Bishop, CA 93514  
760.872.8211  
www.gbuapcd.org