

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

November 1, 2018

(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 1, 2018 in the Mono County Board of Supervisors Meeting Room, 452 Old Mammoth Road (3rd Floor), Mammoth Lakes, California 93546.

Governing Board members present:

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

Governing Board members absent:

Matt Kingsley, Inyo County

A quorum was present.

GBUAPCD staff present:

Phill Kiddoo, Air Pollution Control Officer
Ann Logan, Deputy Air Pollution Control Officer
Tori DeHaven, Clerk of the Board
Susan Cash, Administrative Projects Manager
Kimberly Mitchell, Research & Systems Analyst II

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

Alexander Reyman, City of Los Angeles Department of Water & Power
Mark Ingram and Heather Stone, Bureau of Land Management & Inyo
National Forest Interagency
Liz O'Sullivan, Mono County Resident
Sarah Roberts, Mono County Sheriff, Public Information Officer

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

Ms. Susan Cash then led the Pledge of Allegiance.

Agenda Item #2 Board Chair Griffith asked for public comment on items not on the agenda at 10:01
Public Comment am.
on Matters not on
the Agenda

(No Action) No comment was offered.

Agenda Item #3
Consent Items
(Action)

Motion (Stump/Totheroh) adopting consent item a as follows:

a. Approval of the September 6, 2018 Regular Governing Board Meeting Minutes

Ayes: Board Members – Griffith, Stump, Corless, Totheroh

Noes: 0

Abstain: Board Members – Wentworth, Hames

Absent: Board Member – Kingsley

Motion carried 4/0 and so ordered.

B/O #181101-03a

Motion (Corless/Hames) adopting consent items b through d as follows:

b. Approval for Annual Support Renewal Payment to Agilaire for Hosted AirVision Air Monitoring Database Services in the Amount of \$12,913.00.

c. Sole Source Determination and Approval of Agreement with Peter Hsiao of King & Spaulding, LLP for the Provision of Routine and Special Legal services for the Remainder of Fiscal Year 2018-2019.

d. Designation and Disposal of Surplus Equipment.

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

Noes: 0

Abstain: 0

Absent: Board Member – Kingsley

Motion carried 6/0 and so ordered.

B/O #181101-03b

Agenda Item #4
Approval of
Agreement with
the National
Academy of
Sciences
(Action)

APCO Kiddoo gave a brief summary regarding the agreement with the National Academy of Sciences (NAS) to establish, staff and administer the Owens Lake Scientific Advisory Panel (OLSAP), as agreed to by the City and the District in the 2014 Stipulated Judgment. The purpose of the OLSAP is to evaluate, assess and provide ongoing advice on the reduction of airborne dust in the Owens Valley.

Motion (Hames/Totheroh) approving and authorizing the Air Pollution Control Officer to sign and execute the agreement with the National Academy of Sciences as presented.

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

Noes: 0

Abstain: 0

Absent: Board Member – Kingsley

Motion carried 6/0 and so ordered.

B/O #181101-04

Agenda Item #5
Summary of
2018 Wildfire
Smoke Impacts
(No Action)

Ms. Kimberly Mitchell, Research and Systems Analyst II, gave a presentation regarding the District's summary of 2018 wildfire smoke impacts. Ms. Mitchell addressed the following points:

(The presentation was included in the Board Packet and is available upon request.)

- 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 Resource Advisors from the interagency Wildland Fire Air Quality Response Program.
- Maintained particulate matter (PM) data to utilize for planning efforts and documentation.

The Board expressed concerns regarding encouraging the public to rely on low cost monitors which may or may not have questionable data. Staff responded that they are encouraging the public to use the data qualitatively, not quantitatively.

Board Chair Griffith then asked for public comment.

Ms. Liz O'Sullivan, Mono County resident, commented that she finds it interesting and concerning that there seems to be tolerance for an unhealthy environment due to smoke impacts. Protecting the atmosphere and the planet are hugely important. Recent actions such as an order recently issued by Governor Brown allowing more wildfires and the doubling of acres burned, seem to be an arbitrary and capricious application of the Clean Air Act. Both sources of pollution emit PM 2.5 which is dangerous to public health. Ms. O'Sullivan indicated that a recent study has shown that a lot of wildfires are human caused. Public education about the responsibility to our environment is lacking. Instead of talking about monitors and how we live with smoke we all must take responsibility for the effects we are causing on the health of the planet.

Agenda Item #6
Informational
Items
(No Action)

Board Chair Griffith asked, regarding 6d page 105, what the \$987,478 in Penalties & Late Fees was from.

APCO Kiddoo clarified that those monies came from Notice of Violation 558, for Owens Lake, which was issued to the City of Los Angeles Department of Water and Power.

Board Chair Griffith then asked on page 106, Employee Costs – Worker's Compensation, what caused the jump in cost?

Susan Cash, Administrative Projects Manager, explained that the increase in cost was due to the cleaning up of our schedules including the addition of some equipment and a surprise increase in premiums.

Board Chair Griffith asked regarding 6f, the Woodstove Reduction Pilot Program, there was at least one person in Alpine County who was unable to get any vendors to come to her area to replace her stove and is about to lose her voucher.

Ms. Cash replied that High Country Lumber is willing to go up and replace her woodstove. Ms. Cash has been in contact with the consumer in Markleeville and has explained that although High Country Lumber is willing to go to Markleeville there will be additional costs for installation which will reach beyond the value of the voucher and will be the consumer's responsibility to pay.

Agenda Item #7
Board Member
Reports
(No Action)

Board member Stump thanked staff for their outreach efforts to the public regarding smoke issues and impacts. He indicated that he has concerns regarding future dust issues relating to groundwater pumping.

Board member Corless thanked District staff for their public information that is available on the website. She often uses it to communicate with the public regarding health concerns. She then updated that the lawsuit involving Mono County and the City has been moved to Alameda County.

Board member Wentworth noted that there is a workshop that will be held by the Town of Mammoth Lakes Town Council, on Wednesday from 4:00 pm to 6:00 pm regarding smoke issues. He is looking forward to bringing the regional partners together to discuss the issues and concerns. He also commented that the local areas need to align themselves regionally to represent the concerns regarding economy, quality of life and the natural resources that are important to the state.

Board member Hames thanked staff for their efforts to collect data and keep the public informed. He added that the Sierra Nevada Conservancy may be a good starting point to get the east and west sides together to address forest health issues.

Board member Corless noted that through Rural County Representatives of California (RCRC) she has tried to get involved with the state level forest health task force, however she is having some difficulty finding the appropriate subcommittee.

Board member Wentworth added that in a recent LA Times article there was mention of something called the Blue Forest Investments which is a fund that is raising money to do healthy forest restoration through the National Forest Foundation. This is an example of another type of capacity that is going to be coming to forest and fuels management coming from the private sector working with the forests, federal agencies, and the National Forest Foundation. He noted that he is mentioning this in a public forum in order to avoid any possible Brown Act violations; however, in the future, in order to share this type of information with the other Board members it may need to be an agenda item.

Board Vice Chair Tothorh went to two gatherings about a month ago including one related to the Sierra Nevada Conservancy. The Sierra Nevada Conservancy recently

put on a leadership forum which met a month ago. The large topic discussed was how to work as a region as well as priorities. Prior to that he also attended a meeting in San Francisco regarding climate change.

Board Chair Griffith added that he is also on the California Forest Management Task Force, through RCRC. Many of the Air Pollution Control Boards for different counties are on it. Issues including the ones brought up by Ms. Sullivan are going to be discussed.

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

APCO Kiddoo reported that the District has an employment opening for a Research and Systems Analyst. The position is advertised in the newspapers as well as on the District's website. The application period closes on November 16. Also, there have been issues with having the Board's email addresses posted on the District's website. To remedy any issues or possible Brown Act violations there has been a general email address set up that will be managed by the Clerk of the Board.

Agenda Item #9
Confirm Date
and Location of
Next Regular
Meeting (January
3, 2019, in Inyo
County, CA)

The next regular meeting of the District Governing Board will convene at 10:00 am on January 3, 2019 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
CLOSED
SESSION

The Board convened into closed session at 11:49 am.

The Board reconvened into open session at 12:22 pm.

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.

Report: Information given.

Agenda Item #11
CLOSED
SESSION

CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

City of Los Angeles vs. Great Basin Unified Air Pollution Control District, et al., Superior Court of California, County of Sacramento, Case No. 34-2013-

80001451-CU-WM-GDS, pursuant to California Government Code Section 54956.9(d)(1).

Agenda Item
#12
CLOSED
SESSION

Report: Information given.

**CLOSED SESSION - CONFERENCE WITH REAL PROPERTY
NEGOTIATORS**

Real Property Negotiations. Government Code Section 54956.8. Property: 157 Short Street, Bishop, CA. Agency Negotiator: Air Pollution Control Officer. Negotiating Parties: Great Basin Governing Board and Owner. Under Negotiation: Price and Terms of Sale.

Report: Information given.


Adjournment

The meeting was adjourned by Board Chair Griffith at 12:23 pm. The Board will reconvene in open session at 10:00 am, on Thursday, January 3, 2019 in Independence, California.



David Griffith, Board Chair

Attest:


Tori DeHaven, Board Clerk