

# GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT



## GOVERNING BOARD SPECIAL MEETING INFORMATION

### Meeting Date & Time

Thursday, July 18, 2019 at 10:00 a.m.

### Meeting Location

Alpine County Administrative Center  
99 Water Street (State Hwy 89), Markleeville, California 96120

### District Board

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



Phillip L. Kiddoo  
Air Pollution Control Officer



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

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 [www.gbuapcd.org](http://www.gbuapcd.org)

### **NOTICE OF CANCELLATION OF THE REGULAR MEETING OF THE GREAT BASIN UNIFIED AIR POLLUTION CONTROL GOVERNING BOARD**

**NOTICE IS HEREBY GIVEN** that the regular meeting of the Great Basin Unified Air Pollution Control District Governing Board scheduled for **July 4, 2019 at 10:00 am in Markleeville, California** has been cancelled.

A special meeting of the Governing Board will be held on **July 18, 2019 at 10:00 am** in the Alpine County Administrative Center 99 Water Street (State Hwy 89), Markleeville, California 96120.

This notice of cancellation was posted at the District offices of the Great Basin Unified Air Pollution Control District, 157 Short Street, Bishop CA 93514 on May 7, 2019 as well as the District's website ([www.gbuapcd.org](http://www.gbuapcd.org)).

DATE: May 7, 2019

Tori DeHaven  
Clerk of the Board





## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

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

### GOVERNING BOARD SPECIAL MEETING AGENDA

**THURSDAY, JULY 18, 2019 AT 10:00 AM**

**Alpine County Administrative Center**

**99 Water Street (State Hwy 89), Markleeville, California 96120.**

**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.*

*Regular Meetings are held on the first Thursday of every odd month at 10:00 am, at a location within the jurisdiction of the Great Basin Unified Air Pollution Control District as deemed by the Governing Board.*

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 May 2, 2019 Regular Governing Board Meeting Minutes .....1
  - b. Re-Appointment of Current Hearing Board Members (Pumphrey, Sweeney) .....10
  - c. Approval of Temporary Increase in Authorized Strength, Adding .25 Full Time Equivalents (All General Fund), to Accommodate Training of New Staff .....11
4. Consider Appointing One Person to the Vacant Position on the District's Hearing Board to Serve a Three-Year Term (Action).....12
5. Discussion Regarding Alternates for Inyo, Mono, and Town of Mammoth Lakes, Which are Currently Appointed but not Accounted for in the Bylaws (No Action).....16
6. Owens Lake Scientific Advisory Panel Update (No Action).....30
7. Informational items (No Action)
  - a. Travel Report .....37
    - i. Primary Quality Assurance Organization Training Update.....38
  - b. Permit Enforcement Activity Report .....40
8. Board Member Reports (No Action)
9. Air Pollution Control Officer Report (No Action) .....41

10. **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.

11. **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).

12. **CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS**

Conference with labor negotiators – Section 54957.6 of the California Government Code: Changes regarding the salaries, salary schedules or compensation paid in the form of fringe benefits. Employee group: Non-Management Employees.

13. **CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS**

Conference with labor negotiators – Section 54957.6 of the California Government Code: Changes regarding the salaries, salary schedules or compensation paid in the form of fringe benefits. Employee group: Management Employees.

14. **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.)

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## **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:** July 18, 2019

**To:** District Governing Board

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

**Subject:** Approval of the May 2, 2019 Regular Governing Board Meeting Minutes

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**Summary:**

Attached for the Board's approval are the minutes from the May 2, 2019 regular meeting held in Bridgeport, California.

**Board Action:**

Staff recommends that the Board review and approve the minutes from the May 2, 2019 meeting.

**Attachment:**

1. May 2, 2019 minutes

Consent Agenda (Action) - Approval of the May 2, 2019 Regular Governing Board Meeting Minutes  
July 18, 2019 – Agenda Item No. 3a – Page 1

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT  
GOVERNING BOARD MINUTES  
May 2, 2019

(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 May 2, 2019 in the Mono County Board of Supervisors Chamber, Mono County Courthouse, Main street (U.S. Highway 395), Bridgeport, California 93517.

Governing Board members present:

Fred Stump, Board Vice Chair, Mono County  
Dan Totheroh, Inyo County  
John Wentworth, Town of Mammoth Lakes  
Ron Hames, Alpine County  
Katherine Rakow, Alternate, Alpine County

Governing Board members absent:

Matt Kingsley, Board Chair, Inyo County  
John Peters, Mono County  
David Griffith, Alpine 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  
Alex Clayton, Air Monitoring Tech Specialist  
Sondra Grimm, Technical Services Specialist  
Jan Sudomier, Air Quality Specialist II

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

Liz Calderon, City of Los Angeles, Department of Water & Power

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

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

Board Member Hames then led the Pledge of Allegiance.



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

Board Vice Chair Stump asked for public comment on items not on the agenda at 10:02 am.

No comment was offered.

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

The Board decided to address Item No. 4 as the public hearing for Item No. 3 was not scheduled to start until 10:05 am.

**Motion** (Hames/Totheroh) approving consent items a through j as follows:

- a. Approval of the March 7, 2019 Regular Governing Board Meeting Minutes
- b. Approve Consulting and Service Contracts for Fiscal Year 2019-2020
- c. Approve Leases and Rental Agreements for Fiscal Years 2019-2024
- d. Waiver of Consumer Price Index Increase of District Fees for Fiscal Year 2019-2020
- e. Approve Amendment to California State Association of Counties Excess Insurance Authority Dental Program Memorandum of Understanding
- f. Appropriation Changes, Year End Transfer Authority, and Carryovers
- g. Approval of Annual Sole Source Determinations
- h. Acceptance of the Assemble Bill 617 Community Air Protection Program Grant from the California Air Resources Board in the Amount of \$36,994
- i. Approve Purchase of Five (5) TEOM Continuous PM10 Monitors from Thermo Fisher Scientific, A Sole-Source Provider, for \$125,000
- j. Approve Purchase of One (1) Filter-Based Particulate Matter Monitor (Partisol 2025i-AV) from Thermo Scientific, A Sole-Source Provider, for \$22,000

*Ayes: Board Members – Totheroh, Stump, Hames, Rakow*

*Noes: 0*

*Abstain: 0*

*Absent: Board Members – Kingsley, Griffith, Peters, Wentworth*

Motion carried 4/0 and so ordered.

B/O #190502-04

**Agenda Item #3**  
**PUBLIC**  
**HEARING –**

a) Adoption of  
Orders to the  
City of Los  
Angeles to  
Pay 2019-  
2020 Fiscal  
Year Fees as  
Provided by  
section 42316  
of the  
California  
Health and  
Safety Code  
(SB270)

Board Member Wentworth arrived at 10:04 am.

Board Vice Chair Stump opened the public hearing at 10:05 am.

Ms. Susan Cash, Administrative Projects Manager, gave a brief staff report on item 3a. She noted that this is the second of two required public hearings; the first hearing took place on March 7, 2019. Only non-substantive changes have been made to the separately bound budget which includes typographical errors, formatting etc. Following the release of the document for public inspection (including email to the City of Los Angeles, Department of Water and Power) 30-days ago on April 2, 2019, no comments were received. If the Board adopts to the Orders today, payment of the Fiscal Year 2019-2020 Fees will be due in 45-days which is June 16, 2019. Ms. Cash

b) Fiscal Year  
2019-2020  
Total District  
Budget –  
Approval of  
the General  
fund and SB  
270 Sub-  
budgets  
(Second of  
Two Required  
Budget  
Hearings)  
(Action)

then gave a staff report on item 3b. She noted that this is also the second of two required public hearings regarding the total District budget approval of the General Fund and the SB 270 sub-budgets. She then referenced the memo given to the Board today that provided correction to an error in the Board report. The memo will be added to the official record. The budgets presented today are essentially the same as the March 7, 2019 budget with some corrections. No comments have been received.

Board Vice Chair Stump asked for public comment at 10:09 am. No comment was offered.

Board Vice Chair Stump closed the public hearing at 10:10 am.

**Motion** (Totheroh/Wentworth) approving items a and b as submitted:

Agenda Item No. 3a as follows:

1. The Board conducted the scheduled public hearing for input regarding the proposed fiscal year 2019-2020 SB 270 Fee Assessment Order.
2. The Board adopted the submitted “Fiscal Year 2019-2020 SB 270 Fee Assessment Order to Pay” for the base SB 270 costs in the amount of \$6,065,781.

Agenda Item No. 3b as follows:

1. The Board conducted the second of two public hearings on the total budget, considered all comments and testimony, and made whatever changes found appropriate to District or SB 270 budgets.
2. The Board adopted the total Great Basin Unified Air Pollution Control District budget which includes: a) the proposed final 2019-20 General Fund budget; and b) the proposed final 2019-2020 SB 270 budget.
3. The Board waived the automatic Consumer Price Index increase for District permit fees based on the adopted FY 2019-20 District budget (less special funds) for the 2019-2020 fiscal year and the amount of current District (non-SB 270) reserve funds.

*Ayes: Board Members – Totheroh, Wentworth, Stump, Hames, Rakow*

*Noes: Ø*

*Abstain: Ø*

*Absent: Board Members – Kingsley, Griffith, Peters*

Motion carried 5/0 and so ordered.

B/O #190502-01

**Agenda Item #8**  
Adoption of  
2019 Air Quality  
Monitoring  
Network Plan  
(Action)

Mr. Alex Clayton, Air Monitoring Tech Specialist, gave a slide show presentation regarding the 2019 Air Quality Monitoring Network Plan (*the presentation is available upon request to the Clerk of the Board*).

**Motion** (Hames/Wentworth) approving and adopt the District’s 2019 Annual Air Quality Monitoring Network Plan for submission to the US EPA Region IX administrator for approval.

*Ayes: Board Members – Totheroh, Stump, Hames, Rakow, Wentworth*

*Noes: Ø*

*Abstain: Ø*

*Absent: Board Members – Kingsley, Griffith, Peters*

Motion carried 5/0 and so ordered.

B/O #190502-08

**Agenda Item #5  
PUBLIC**

**HEARING –**

Rescission of  
District Rule  
1101 –  
Purchasing,  
Bidding and  
Contracting  
Policy (Action)

Board Vice Chair Stump opened the public hearing at 10:34 am.

Ms. Cash presented on item 5. No other air districts that Ms. Cash spoke to have purchasing, bidding and contracting procedures as a rule. In order to move Rule 1101 to a policy, a rescission must be done. In order to accomplish this, a public notice has been completed as well as notification to the California Air Resources Board. Ms. Cash then reported on item 6. Writing the new policy has been a lot of work by staff. The new policy gives more flexibility, more streamlined purchase procedures and fills in some gaps.

Board Vice Chair Stump asked for public comment at 10:30 am. No comment was offered.

Ms. Cash proceeded to present on item 7. Adoption of the Uniform Public Construction Accounting Procedures which will allow the District to dispense with formal bidding procedures and smaller public projects.

Board Vice Chair asked for public comment at 10:42 am. No comment was offered.

Board member Wentworth brought to the attention of staff about new legislation AB 1768 regarding prevailing wage contracts.

Board Vice Chair Stump closed the public hearing at 10:46 am.

**Motion** (Rakow/Totheroh) approving Agenda Item No. 5 as follows:

1. Rescind Rule 1101
2. Adopt attached Resolution 2019-02

*Ayes: Board Members – Totheroh, Stump, Hames, Rakow, Wentworth*

*Noes: Ø*

*Abstain: Ø*

*Absent: Board Members – Kingsley, Griffith, Peters*

Motion carried 5/0 and so ordered.

B/O #190502-05

**Agenda Item #6**  
Approval of  
Purchasing  
Policies and

**Motion** (Hames/Wentworth) approving Agenda Item No. 6 as follows:

Procedures  
(Action)

The Governing Board adopted the submitted Purchasing Policies and Procedures, which include the District's informal bidding processes.

*Ayes: Board Members – Totheroh, Stump, Hames, Rakow, Wentworth*

*Noes: Ø*

*Abstain: Ø*

*Absent: Board Members – Kingsley, Griffith, Peters*

Motion carried 5/0 and so ordered.

B/O #190502-06

**Agenda Item #7**  
Adoption of the  
Uniform Public  
Construction  
Cost Accounting  
Procedures  
(Action)

Motion (Totheroh/Rakow) approving Agenda Item No. 7 as follows:

The Governing Board adopted Resolution 2019-03, as submitted.

*Ayes: Board Members – Totheroh, Stump, Hames, Rakow, Wentworth*

*Noes: Ø*

*Abstain: Ø*

*Absent: Board Members – Kingsley, Griffith, Peters*

Motion carried 5/0 and so ordered.

B/O #190502-07

**Agenda Item #9**  
Authorization to  
Accept Funds for  
Implementation  
of the District's  
Smoke  
Management  
Program and  
Activities  
Related to  
Prescribed  
Burning (Action)

APCO Kiddoo presented on item 9. He reviewed the actions in front of the Board. He noted that at this time there is not a final contract or agreement which is being worked through the California Air Pollution Control Office's Association as well as the California Air Resources Board. It may be out this week. The current District smoke management program has been in operation since 2001. Thus far the District has not received additional grant funding for this program and has been operating under Title 17. A summary of the legislation history as well as funding information has been included in the staff report.

Deputy APCO Logan explained that with the adoption of the agricultural burning legislation by California in 2001 and to comply with Title 17, the District adopted a Memorandum of Understanding (MOU) with all the land management agencies that fall within the District. That MOU was set to expire five years after it was signed, however, it has not been renewed since 2001 but the District and land managers continue to operate underneath it.

Board member Wentworth noted that it may be appropriate going forward to re-configure those MOU's to make sure the appropriate parties are involved.

Deputy APCO Logan added that staff plans to work with the land management agencies as well as the Board in order to revisit the content with plans in the future to bring an updated MOU back to the Board.

Board Vice Chair Stump asked if staff will be able to contact the forests on the west side.

Deputy APCO Logan replied that staff will need to take some time to determine if the MOU is the appropriate venue with which to contact those land managers as the MOU is specific to the District's jurisdiction.

Discussion continued between the Board and staff regarding various bodies of government and their dealings with this topic.

Board Vice Chair asked for public comment at 11:06 am. No comment was offered.

**Motion** (Wentworth/Hames) approving Agenda Item No. 9 as follows:

- 1) The Board adopted Resolution No. 2019-04, as submitted, authorizing the acceptance of funds from the California Air Resources Board and/or the California Air Pollution Control Officers Association for implementation of the District's Smoke Management Program;
- 2) The Board authorized the Air Pollution Control Officer to negotiate, sign, and amend, as needed, future agreements and contracts, including in future fiscal years, related to these activities, and to accept funds and to implement associated projects.

*Ayes: Board Members – Totheroh, Stump, Hames, Rakow, Wentworth*

*Noes: Ø*

*Abstain: Ø*

*Absent: Board Members – Kingsley, Griffith, Peters*

Motion carried 5/0 and so ordered.

B/O #190502-09

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

Board Vice Chair Stump asked for public comment at 11:09 am. No comment was offered.

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

Board member Totheroh: Nothing to report.

Board member Wentworth:

- 1) The Town of Mammoth Lakes wants to include smoke and smoke issues into their budget.
- 2) Mr. North, Sierra Nevada Conservancy, is now a resident of Mammoth Lakes. May be a good resource for staff.
- 3) Asked if the Wheeler Crest issue falls within the jurisdiction of the District.

APCO Kiddoo replied that most likely a project like that would fall under the District's permit authority.

Board member Hames:

- 1) Meeting in Sacramento last week had a lot of talk about wildfires. District needs to be aware of these discussions and plans.

Board alternate Rakow:

- 1) Alpine County, as a whole, is taking a more proactive role to prepare for wildfires.

Board Vice Chair Stump:

- 1) The Mono County Joint Mammoth Lakes Hazard Mitigation Plan has been approved by the Federal Emergency Management Agency (FEMA) and will be coming to the Mono County Board on May 14, 2019.

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

APCO Kiddoo reported on the following items:

- 1) Escrow closed on the Bishop Office building at 157 Short Street, Bishop, California 93514; the District now owns it.
- 2) Owens Lake Scientific Advisory Panel (OLSAP) – The panel was formed back in November and the District has been working with OLSAP as well as LADWP. Following the Board meeting, staff will be traveling to Los Angeles for the first informational gathering meeting. An update will be brought back to the Board.

**Agenda Item #13**  
Cancellation of  
the Next Regular  
Meeting of the  
Governing Board  
and Scheduling a  
Special Meeting  
(Action)

**Motion** (Rakow/Totheroh) canceling the July 4, 2019 regular meeting and scheduled a special meeting for Thursday July 18, 2019 at 10:00am in Markleeville, CA.

*Ayes: Board Members – Totheroh, Stump, Hames, Rakow, Wentworth*

*Noes: Ø*

*Abstain: Ø*

*Absent: Board Members – Kingsley, Griffith, Peters*

Motion carried 5/0 and so ordered.

B/O #190502-13

**Agenda Item #14**  
**CLOSED**  
**SESSION**

The Board convened into closed session at 11:32 am.

The Board reconvened into open session at 12:49 pm.

**CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**

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.

**Report:** Nothing to report.

**Agenda Item #15**  
**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).

**Report:** Nothing to report.

**Agenda Item  
#16  
CLOSED  
SESSION**

**CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS**

Conference with labor negotiators – Section 54957.6 of the California  
Government Code: Changes regarding the salaries, salary schedules or  
compensation paid in the form of fringe benefits. Employee group: Non-  
Management Employees.

**Report:** Nothing to report.

**Agenda Item  
#17  
CLOSED  
SESSION**

**CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS**

Conference with labor negotiators – Section 54957.6 of the California  
Government Code: Changes regarding the salaries, salary schedules or  
compensation paid in the form of fringe benefits. Employee group: Management  
Employees.

**Report:** Nothing to report.

**Adjournment**

The meeting was adjourned by Board Vice Chair Stump at 12:50 pm. The Board will  
reconvene in open session at 10:00 am, on Thursday, July 18, 2019 in Markleeville,  
California.

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Matt Kingsley, Board Chair

**Attest:**

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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:** July 18, 2019

**To:** District Governing Board

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

**Subject:** Re-appointment of Hearing Board Members

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#### **Summary:**

The District Hearing Board is an independent, five-member quasi-judicial body that conducts public hearings to grant variances from District Rules and makes decisions on permit appeals. The Hearing Board meets on an as needed basis and the Chairman is authorized to act alone for short-term and emergency variance matters.

The Governing Board, as provided by the California Health & Safety Code Section 40800, appoints members of the Hearing Board to three-year terms. The District's Unification Agreement requires that the Hearing Board consist of at least one member from each county in the District; current representation includes two members from Inyo County (Michael Ahles and John Dukes), one member from Mono County (Pete Pumphrey) and one member from Alpine County (Tom Sweeney).

Currently, there are two Hearing Board members whose term will expire in November 2019: Mr. Peter Pumphrey and Mr. Tom Sweeney. The Hearing Board members have indicated that they would like to be considered for re-appointment to the Hearing Board for another term of three years.

#### **Fiscal Impact**

Hearing Board members are compensated \$100 per meeting and reimbursed for travel expenses.

#### **Board Action:**

District Staff recommends that Hearing Board members Pumphrey and Sweeney be re-appointed to the Hearing Board for a three-year term ending November 30, 2022.

This action complies with the Unification Agreement.





## 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:** July 18, 2019

**To:** District Governing Board

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

**Subject:** Approval of Temporary Increase in Authorized Strength, Adding .25 Full Time Equivalents (All General Fund), to Accommodate Training of New Staff

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#### **Summary:**

The District has been notified that two Air Quality Specialist IIs with 30-years combined tenure at the District will be retiring at the end of this calendar year. Air Quality Specialists' primary duties include evaluating and processing applications for permits to operate and inspection of air pollution sources to ensure compliance with air pollution control regulations and rules. As the District only has two Air Quality Specialists, it would be challenging to hire and train two replacements at the same time. An overlap of new hires with departing staff of up to six weeks for each position will allow for adequate training and transfer of knowledge. The District's current authorized strength allows for 2.0 Full Time Equivalents (FTEs). An additional 6 weeks for each position requires Board authorization to temporarily increase the authorized strength to 2.25 FTEs for Fiscal Year 2019/2020.

#### **Fiscal Impact:**

The District has budgeted for two Air Quality Specialist IIs for the entire 2019 - 2020 Fiscal Year. Replacing the retiring employees will result in a savings of \$15,427-\$45,169. Adding .25 FTE for a 6-week overlap will cost \$24,235-\$31,099. Likely, the additional cost can be absorbed by the savings of new hires or other minor savings in the General Fund Budget.

#### **Board Action:**

Approve a temporary increase in authorized strength, adding .25 FTE to the Air Quality Specialist classification for Fiscal Year 2019/2020 to accommodate training of new staff.

Consent Agenda (Action) – Approval of Temporary Increase in Authorized Strength, Adding .25FTE  
(All General Funds), to Accommodate Training of New Staff  
July 18, 2019 – Agenda Item No. 3c – 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:** July 18, 2019

**To:** District Governing Board

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

**Subject:** Consider Appointing One Person to the Open Position on the District Hearing Board

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#### **Summary:**

The District has three arms with different functions: the Governing Board, the Hearing Board and the Air Pollution Control Officer (APCO). The Governing Board (Board) is a legislative body that adopts the rules and regulations under which we operate. The Hearing Board is a quasi-judicial body that hears appeals from decisions of the APCO and grants temporary variances from District Rules and Regulations. The APCO is the official who enforces the rules and regulations passed by the Governing Board, and also parts of the State Health and Safety Code, Vehicle Code, and designated parts of the Federal Clean Air Act.

The five-member Hearing Board is appointed by the Governing Board as provided by California Health & Safety Code Section 40800. Hearing Board members serve three-year terms and consists of members from all three District counties. Earlier this year the District learned that Mr. William Richmond, appointed to the Hearing Board in 2016, had passed away. With the passing of Mr. Richmond there is one vacancy on the Hearing Board. The four members of the Hearing Board are: Mr. Peter Pumphrey (Mono County), Mr. Michael Ahles (Inyo County), Mr. John Dukes (Inyo County) and Mr. Tom Sweeney (Alpine County). The Board Clerk has advertised for prospective Hearing Board members throughout the District's three counties. We received letters of interest from the following people: Mr. John Connolly (Mammoth Lakes) and Ms. Betty Hylton (Mammoth Lakes).

#### **Fiscal Impact:**

Board members are paid a stipend of \$100 per meeting attended as well as mileage.

#### **Board Action:**

Staff recommends the Board consider and appoint one interested person to the existing vacancy on the District's five-member Hearing Board.

#### **Attachment:**

1. Letter of Interest from Mr. John Connolly, dated May 16, 2019
2. Letter of Interest from Ms. Betty Hylton, dated May 27, 2019

Consider Appointing One Person to the Vacant Position on the District Hearing Board (Action)

July 18, 2019 – Agenda Item No. 4 – Page 1

5-16-2019

Dear Tori,

I read a lot and noticed that the Great Basin district has an opening on the Hearing Board – I am interested.

Over the span of my work for the Town of Mammoth Lakes I've been a very hands on participant in promoting health and environmental activities. For southern Mono County I've also helped with projects that have made our communities a better place to live. I feel that being on the Hearing Board may increase my opportunities to serve more people and do more good things.

My resume is attached, please let me know if you have further questions.

Sincerely,

  
John Connolly



# John R. Connolly

PO Box 9037 Mammoth Lakes, CA 93546 (760) 709-0293  
[owensdrylake@hotmail.com](mailto:owensdrylake@hotmail.com)  
[www.hiltoncreek.com](http://www.hiltoncreek.com)

## **Position:**

- Hearing Board - GBUAPCD

## **Education:**

- Bachelor of Arts Degree from the Department of Liberal Studies at California State University of Northridge, 1994.

## **Professional Experience:**

*1991 - 1995*

- Floor Supervisor at Build Rehabilitation Industries, Burbank, CA
- Effectively supervised up to 40 developmentally disabled adults
- Streamlined floor production and responsible for quality control

*1995 - 1999*

Part time Recreation Leader for Town of Mammoth Lakes, CA

- Engaged children and teens in various activities
- Developed youth programs that are still in effect today
- Constructed Shady Rest Skate Park

*1999 - Present*

Full time Recreation Supervisor for Town of Mammoth Lakes, CA

- Responsible for creation and hands-on delivery of recreation activities for all ages
- Managed summer camps/programs, volunteers, ice rink, Whitmore Pool, and up to 18 part time staff
- Established collaborative programs with school district, Mono County, and business community

*2011 - Present*

Mono County Service Area #1 President

- Advisor to Mono County Board of Supervisors
- Created the Crowley Lake Community Garden
- Driving force behind the new Crowley Lake Skate Park

## **Special Certificates, Skills, and interests:**

- Class B commercial license with passenger endorsement
- Certified Professional Food Manager
- CPR and First Aid Certified
- Website design
- Recreation Expert
- Community Advocate/Volunteer

**References Available upon Request**

# Betty Hylton

---

PO Box 2521 Mammoth Lakes, CA 93546 | [bettyhylton@hotmail.com](mailto:bettyhylton@hotmail.com)

**Date 05/27/2019**

Great Basin Air Pollution Control District  
157 Short St.  
Bishop, CA 93514



## **District Governing Board:**

I am passionate about the Eastern Sierra and participating in efforts to make it sustainable. I love living, recreating and working here. For the past ten years, I have been able to do more outdoor activities than most people experience in a lifetime, while working to lower water usage, improve the wastewater system and support my community's growth. I have established an amazing network of friends and look forward to continuing life in a place most people just get a glimpse of. I would welcome the opportunity to serve the Eastern Sierra Community in this capacity.

Through my work experience, I have learned that collaboration is essential to success. My position as Administrative Analyst has provided the opportunity to work with multiple departments and coordinate with public agencies serving the Eastern Sierra. In public relations and customer service, I emphasize the importance of understanding and incorporating multiple perspectives. I have successfully established ordinances for and administered multiple programs in an effective way that the community accepted and complimented. Recently, I am participating in the application and management of grants. I approve invoices, payments and provide budgeting information for my department. As a GIS Specialist, I utilize my skill set on a regular basis and have developed a comprehensive knowledge of our regional landownership, land use and infrastructure.

I am organized, self-motivated, tech savvy and confident that my skill set and job experience in the Eastern Sierra make me well suited to sit on the Hearing Board.

Sincerely,

Betty Hylton



## 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:** July 18, 2019

**To:** District Governing Board

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

**Subject:** Discussion Regarding Alternates for Inyo, Mono, and the Town of Mammoth Lakes, Which are Currently Appointed but not Accounted for in the Unification Agreement or Rule 1102

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#### Summary:

While attempting to ensure a quorum for your Board's May 2, 2019 meeting, staff discovered that the Unification Agreement of the District does not provide for alternates for any entity except Alpine County.

The original Unification Agreement signed by the three counties in 1974 allowed for three members from the Board of Supervisors from Inyo, two members from Mono, and one member from Alpine (Section 4) to serve on the District Governing Board. Section 5 (c), Alternate Members, states, "The Board of Supervisors of Alpine County shall designate an alternate member who shall serve in the event the designated member is absent or unable to attend a meeting." No provisions for alternates from Inyo or Mono were included. The voting requirement (Section 5 (d)) stated that all acts of the Board shall require the affirmative vote of not less than four members with at least one affirmative vote from each of two counties.

The Unification Agreement was amended by the three counties in 1982, restructuring the membership to allow for two members of the Board of Supervisors from each county (Section 4). Section 5 (c) was not amended to provide for any alternates beyond Alpine County. The voting requirement was also amended (Section 5 (d)) to state that all acts of the Board shall require the affirmative vote from each of two counties.

In 1994, pursuant to a change in state law, the Board adopted Rule 1102 which added a seat for the Town of Mammoth Lakes and added the requirement that actions requiring 4/5ths vote shall require 6 votes.

All four member entities' Boards and Councils have appointed alternates to the District Board. According to the Unification Agreement, these Alternates (other than Alpine's) do not have a position on the District Board.

Discussion Regarding Alternates for Inyo, Mono, and Town of Mammoth Lakes, Which are Currently Appointed but not Accounted for in the Bylaws (No Action)  
July 18, 2019 – Agenda Item No. 5 – Page 1

Staff has researched the past actions of the District Board and found that there were 38 times that Alternates (other than Alpine) attended, and voted, at District meetings since 1981. Of those, there were three meetings where the Alternate vote was decisive in one or more actions.

- September 20, 1982: The meeting was attended by Mono Supervisors Stanford and Johnson, Inyo Supervisor Muth, and Inyo Supervisor (Alternate) Bremmer. Nine action items were passed. Of those nine, seven were contemporary issues to that meeting that have no current ramifications. Regarding the two that may be problematic:
  - BO #092082-2 which changed the voting procedure to majority of the quorum passes. Interestingly, this was not an agenda item, nor do the minutes reflect that the procedures to place an emergency or urgency item on the agenda was followed. Additionally, though the 1994 voting procedure change in Rule 1102 speaks only to the 4/5ths vote requirement, the extrapolation (and normal procedure on most boards) is that an affirmative vote requires the majority of the total board, not the majority of the quorum.
  - Resolution#82-3 Establishing the Format for the Agenda for Regular Board Meetings and a Rule of Procedure for Placing Matters thereon to be Heard by Said Board (BO #092082-8). Like the other item, this was not on the original agenda, nor do the minutes reflect emergency or urgency placement on the agenda.
- March 2, 1983: The meeting was attended by Mono Supervisors Jencks and Leydecker, Inyo Supervisor Calkins, and Inyo Supervisor (Alternate) Bremmer. Nine action items were passed. All nine were contemporary issues to that meeting.
- February 12, 1998: The meeting was attended by Alpine Supervisor Zellmer, Mono Supervisor Lawrence, Inyo Supervisor Arcularius, and Inyo Supervisor (Alternate) Hambleton. Six action items were passed. All six were contemporary issues to that meeting.

**Fiscal Impact:**

There is no fiscal impact associated with this discussion or direction, other than already-budgeted staff time to implement the direction.

**Board Action:**

The potential solutions to this issue require further staff work. At this time, staff is looking for direction from the District Board. Once that direction is given, staff will return with agenda item(s) to implement the direction, at which time action will be requested.

Offered for your consideration are two possible directions:

(a) Direct staff to notify Inyo, Mono, and the Town of Mammoth Lakes that Alternates are not authorized by the Unification Agreement, and therefore need not (and cannot) be appointed to the District Board.

(b) Direct staff to initiate changes to the Unification Agreement to allow for Alternates from all member agencies. If this is the direction, consider rescinding Rule 1102 and incorporating it into a new Unification Agreement, and clarify the requirement for an affirmative vote. An update to the Unification Agreement requires ratification by all four member agency governing boards.

**Attachment(s):**

1974 Unification Agreement

1982 Unification Agreement

1994 Rule 1102

## AGREEMENT

THIS AGREEMENT made and entered into by and between the Board of Supervisors of the County of Inyo, the Board of Supervisors of the County of Mono, the Board of Supervisors of the County of Alpine and exofficio the Air Pollution Control Board of the Inyo County Air Pollution Control District, the Air Pollution Control Board of the Mono County Air Pollution Control District, and the Air Pollution Control Board of the Alpine County Air Pollution Control District.

### WITNESSETH:

WHEREAS, the County of Inyo, the County of Mono and the County of Alpine have heretofore each activated an air pollution control district pursuant to the provisions of Chapter 2 of Division 20 of the Health and Safety Code, and

WHEREAS, said members have met and so agreed;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. That the Inyo County Air Pollution Control District, the Mono County Air Pollution Control District, and the Alpine County Air Pollution Control District be and the same are hereby merged into one district pursuant to the provisions of Article 7, Chapter 2, Division 20 of the Health and Safety Code.
2. That said district shall be known and designated as the Great Basin Unified Air Pollution Control District.
3. That the relative population of the counties within said district at the date hereof is as follows:

Inyo County	71.3 percent
Mono County	26.2 percent
Alpine County	2.5 percent



4. That the composition of the Air Pollution Control Board shall be as follows:
  - (a) Three members of the Board of Supervisors of Inyo County selected by said Board of Supervisors.
  - (b) Two members of the Board of Supervisors of Mono County selected by said Board of Supervisors.
  - (c) One member of the Board of Supervisors of Alpine County selected by said Board of Supervisors.
5. That the voting procedure of the Air Pollution Control Board shall be as follows:
  - (a) Each member shall have one vote.
  - (b) Quorum: A quorum of said Air Pollution Control Board shall consist of four members, provided, however, no action affecting only a particular zone may be taken without a representative of that zone being present and voting on the action.
  - (c) Alternate members: The Board of Supervisors of Alpine County shall designate an alternate member who shall serve in the event the designated member is absent or unable to attend a meeting.
  - (d) All acts of the Air Pollution Control Board shall require the affirmative vote of not less than four members with at least one affirmative vote from each of two counties.
6. That the Air Pollution Control Board of the unified district hereby created shall appoint a Hearing Board as provided by law, with the additional provision that at least one member of said Board shall be from each county.
7. That employees of the said unified district, pending the adoptions by the Air Pollution Control Board of the unified district of personnel policies and procedures, shall be subject to and granted the right conferred, by the Personnel Ordinance of the County of Inyo.

8. That a fifteen (15) member Advisory Committee may be appointed by the Air Pollution Control Board from a list provided by the Board of Supervisors of each county, with five (5) members from each county appointed to serve on said Advisory Committee.
9. That the Treasurer for the County of Inyo shall serve as Treasurer for the unified district hereby created.
10. That any employee of the three counties who transfers to the service on or before 3/1/74 of the unified district shall retain all sick leave, vacation, retirement and other benefits accrued by reason of his county employment.
11. Modification or termination:
  - (a) Modification. This agreement, except as to the counties constituting the unified district hereby created, may be modified on the recommendation of the Air Pollution Control Board and concurred in by the Board of Supervisors of each county within the unified district hereby created.
  - (b) Withdrawal of any county. Any county, a party hereto, may withdraw from the unified district hereby created upon thirty (30) days notice in writing, one to the others; provided, however, such notification shall be made not less than ninety (90) days prior to the end of any fiscal year. Upon the withdrawal of any county from the Unified District said Unified District shall terminate, and the duties and powers of said Unified District shall revert to its respective member county districts.
  - (c) Termination. This agreement may be terminated at any time upon the recommendation of the Air Pollution Control Board and concurred in by the Board of Supervisors of each county within the unified district herein created. Upon termination of the Unified District the duties and powers of said Unified District shall revert to its respective member county districts.
12. That the funds, property and liabilities of the Inyo, Mono and Alpine County Air Pollution Control Districts shall, upon the merging of said three districts, become the funds, property and liabilities of the unified air pollution control district hereby created. Upon termination or withdrawal of the Unified District, any assets or liabilities then or thereafter accruing to it shall revert to its member counties in proportion as the same are set forth in Section 3 of this agreement.

13. That this Agreement shall become effective and operative, insofar as the merger of said Inyo County Air Pollution Control District, said Mono County Air Pollution Control District and said Alpine County Air Pollution Control District is concerned, on March 1, 1974.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year set opposite the signature of their respective officers.

ATTEST:

Donna L. Homsher  
Clerk of said Board

Date: February 5, 1974

Donna L. Homsher  
Inyo County Clerk  
By Donna L. Homsher  
Clerk of said Board

Date: February 19, 1974

David J. Chisum  
Clerk of said Board  
Date: February 11, 1974

Approved as to Form and Legality  
Inyo County District Attorney  
By David J. Chisum

BOARD OF SUPERVISORS OF THE  
COUNTY OF MONO

By B. K. Falconer  
Chairman

BOARD OF SUPERVISORS OF THE  
COUNTY OF INYO

by Alan H. Jacobs  
Chairman

BOARD OF SUPERVISORS OF THE  
COUNTY OF ALPINE

by Hubert Burns  
Chairman

AGREEMENT

THIS AGREEMENT made and entered into by and between the Board of Supervisors of the County of Inyo, the Board of Supervisors of the County of Mono, the Board of Supervisors of the County of Alpine and exofficio the Air Pollution Control Board of the Inyo County Air Pollution Control District, the Air Pollution Control Board of the Mono County Air Pollution Control District, and the Air Pollution Control Board of the Alpine County Air Pollution Control District.

WITNESSETH:

WHEREAS, the County of Inyo, the County of Mono and the County of Alpine have heretofore each activated an air pollution control district pursuant to the provisions of Chapter 2 of Division 20 of the Health and Safety Code, and

WHEREAS, said members have met and so agreed;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. That the Inyo County Air Pollution Control District, the Mono County Air Pollution Control District, and the Alpine County Air Pollution Control District be and the same are hereby merged into one district pursuant to the provisions of Article 7, Chapter 2, Division 20 of the Health and Safety Code.
2. That said district shall be known and designated as the Great Basin Unified Air Pollution Control District.
3. That the relative population of the counties within said district at the date hereof is as follows:

Inyo County	64.2 percent
Mono County	31.7 percent
Alpine County	4.1 percent

4. That the composition of the Air Pollution Control Board shall be as follows:
- (a) Two members of the Board of Supervisors of Inyo County selected by said Board of Supervisors.
  - (b) Two members of the Board of Supervisors of Mono County selected by said Board of Supervisors.
  - (c) Two members of the Board of Supervisors of Alpine County selected by said Board of Supervisors.
5. That the voting procedure of the Air Pollution Control Board shall be as follows:
- (a) Each member shall have one vote.
  - (b) Quorum: A quorum of said Air Pollution Control Board shall consist of four members, provided, however, no action affecting only a particular zone may be taken without a representative of that zone being present and voting on the action.
  - (c) Alternate members: The Board of Supervisors of Alpine County shall designate an alternate member who shall serve in the event the designated member is absent or unable to attend a meeting.
  - (d) All acts of the Air Pollution Control Board shall require the affirmative vote from each of two counties.
6. That the Air Pollution Control Board of the unified district hereby created shall appoint a Hearing Board as provided by law, with the additional provision that at least one member of said Board shall be from each county.
7. That employees of the said unified district, pending the adoptions by the Air Pollution Control Board of the unified district of personnel policies and procedures, shall be subject to and granted the right conferred, by the Personnel Ordinance of the County of Inyo.

8. That a fifteen (15) member Advisory Committee may be appointed by the Air Pollution Control Board from a list provided by the Board of Supervisors of each county, with five (5) members from each county appointed to serve on said Advisory Committee.
9. That the Treasurer for the County of Inyo shall serve as Treasurer for the unified district hereby created.
10. That any employee of the three counties who transfers to the service of the unified district shall retain all sick leave, vacation, retirement and other benefits accrued by reason of his county employment.
11. Modification or termination:
  - (a) Modification. This agreement, except as to the counties constituting the unified district hereby created, may be modified on the recommendation of the Air Pollution Control Board and concurred in by the Board of Supervisors of each county within the unified district hereby created.
  - (b) Withdrawal of any county. Any county, a party hereto, may withdraw from the unified district hereby created upon thirty (30) days notice in writing, one to the others; provided, however, such notification shall be made not less than ninety (90) days prior to the end of any fiscal year. Upon the withdrawal of any county from the Unified District said Unified District shall terminate, and the duties and powers of said Unified District shall revert to its respective member county districts.
  - (c) Termination. This agreement may be terminated at any time upon the recommendation of the Air Pollution Control Board and concurred in by the Board of Supervisors of each county within the unified district herein created. Upon termination of the Unified District, the duties and powers of said Unified District shall revert to its respective member county districts.
12. That the funds, property and liabilities of the Inyo, Mono and Alpine County Air Pollution Control Districts shall, upon the merging of said three districts, become the funds, property and liabilities of the unified air pollution control district hereby created. Upon termination or withdrawal of the Unified District, any assets or liabilities then or thereafter accruing to it shall revert to its member counties in proportion as the same are set forth in Section 3 of this agreement.

13. That this Agreement shall become effective and operative, insofar as the merger of said Inyo County Air Pollution Control District, said Mono County Air Pollution Control District and said Alpine County Air Pollution Control District is concerned, on March 1, 1974.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year set opposite the signature of their respective officers.

ATTEST:

BOARD OF SUPERVISORS OF THE  
COUNTY OF ALPINE

Joan Y. Chacón  
Clerk of the Board

Date: August 3, 1982

By Walter N. Nield  
Chairman

BOARD OF SUPERVISORS OF THE  
COUNTY OF INYO

Kelli Herman  
Clerk of the Board

Date: 4/29/82

By Wilma B. Muth  
Chairman

BOARD OF SUPERVISORS OF THE  
COUNTY OF MONG

Marivic E. Peigné  
Clerk of the Board

Date: July 19, 1982

By Ed Mauer  
Chairman

REGULATION XI - ADMINISTRATIVE POLICIES AND PROCEDURES

RULE 1102. Governing Board Membership, Funding and Voting Procedures

A. Governing Board Membership

The District Governing Board shall be made up of seven members. The Inyo County Board of Supervisors shall, from time to time as necessary, select two of its members to serve as members of the District Governing Board. The Mono County Board of Supervisors shall, from time to time as necessary, select two of its members to serve on the District Governing Board. The Alpine Board of Supervisors shall, from time to time as necessary, select two of its members to serve on the District Governing Board. The Mammoth City Council shall, from time to time as necessary, select one of its members to serve on the District Governing Board.

B. Funding

The District shall be funded by the counties and cities who have representatives on the District Governing Board, by making the following annual payments to the District:

1. Inyo County: \$0.55 per capita of population within the County boundaries;
2. Alpine County: \$0.55 per capita of population within the County boundaries;
3. Mono County: \$0.55 per capita of population within the unincorporated area of the county;
4. City of Mammoth: \$0.55 per capita of population within the incorporated city.

C. Voting Procedures

A quorum of the District Governing Board shall be four; actions requiring 4/5ths vote of the Governing Board shall require 6 (six) votes.

D. Modification of Agreement

Upon ratification by the Inyo County, Mono County and Alpine



County Boards of Supervisors and the Mammoth City Council, this Rule shall constitute a modification to the Agreement between Inyo, Mono and Alpine Counties forming the Great Basin Unified Air Pollution Control District.

**E. Effective Date**

This Rule shall become effective on June 30, 1994.

Ellen Hardebeck  
Control Officer



## GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short St. Suite #6 - Bishop, CA 93514  
(619) 872-8211

June 29, 1994

I HEREBY CERTIFY that at a meeting of the Great Basin Unified Air Pollution Control District in the Alpine County Board of Supervisors Chambers in the town of Markleeville, California on June 29, 1994, an order was duly made and entered as follows:

### ADOPTION OF RULE 1102

(GOVERNING BOARD MEMBERSHIP, FUNDING AND VOTING PROCEDURES)

A motion was made by Supervisor Lawrence, seconded by Supervisor Jarvis adopting Rule 1102. Governing Board Membership, Funding and Voting Procedures. Motion carried unanimously and so ordered.

WITNESS: B/O #062994-12

ATTEST:

Donna Leavitt  
Donna Leavitt, Clerk of the Board



## 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:** July 18, 2019

**To:** District Governing Board

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

**Subject:** Owens Lake Scientific Advisory Panel Update (No Action)

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#### Summary:

This report provides a brief update on the status and progress of the Owens Lake Scientific Advisory Panel (OLSAP). In November 2018, the Great Basin Unified Air Pollution Control District (District) Governing Board approved the District to enter into an agreement with the National Academies of Sciences (National Academies) to fulfill the 2014 Stipulation Judgement provision to establish the OLSAP. The National Academies of Sciences is a nonprofit, non-governmental organization, founded by an 1863 Congressional charter, to provide independent, objective advice to the nation on matters related to science and technology. The National Academies was charged with establishing, staffing, and administering the OLSAP. The purpose of the OLSAP is to evaluate, assess and provide ongoing advice on the reduction of airborne dust in the Owens Valley.

Following execution of the contract in November 2018, the National Academies proceeded to solicit panel nominations for the ten positions on the panel, including receiving nominations from the District and the City of Los Angeles Department of Water and Power (LADWP). Panel nominations were evaluated by assessing areas of expertise, professional experience and conflict of interest screening. In March 2019, the National Academies approved panel membership on a provisional basis, according to institutional procedures. A twenty-day public comment period on the panel membership was provided before the panel was finalized. Final panel membership and brief biographies can be viewed in Attachment 1.

The 2014 Stipulated Judgment specified the initial OLSAP task to “evaluate the effectiveness of alternative dust control methodologies for their degree of PM<sub>10</sub> reduction at the Owens Lake bed and reduce use of water in controlling dust emissions from the dried lake beds”. The first meeting of the OLSAP was held in Los Angeles on May 3-4, 2019. The District and LADWP compiled and submitted relevant material to the panel prior to meeting. At the meeting, staff from the District presented on the regulatory and dust control implementation history, development of dust control

measure history as well as current dust control status, Best Available Control Measures (BACMs), and current regulatory requirements. LADWP staff presented on the history of Owens Lake dust mitigation project phases and current operations, infrastructure, maintenance, and regulatory framework. Additional presentations were provided by California State Lands Commission, Lone Pine Paiute-Shoshone Reservation and Big Pine Paiute Tribe of the Owens Valley. The full agenda can be viewed in Attachment 1. Comments from the public were also received. Following the meeting, the panel submitted additional information requests to the District and LADWP. The District compiled and submitted data, reports, and analysis to fulfill the panels information gathering request.

The OLSAP's second meeting will be held July 23-25 in Keeler and will include a field orientation for the panel. The panel will continue to meet and work on the first task through April 2020. During this time, following completion of the study process for the first task, the NAS will submit final reports to the District and City. All reports are solely advisory in nature and in no way alter the authority and responsibility of the District, District Governing Board or the Air Pollution Control Officer. The National Academies have developed an OLSAP dedicated website, <http://nas-sites.org/dels/studies/owens-lake/>, where more information on the panel, meetings, and study process can be found.

**Board Action:**

None. Informational only.

**Attachment**

1. OLSAP Participant Packet for May 2-3, 2019 Meeting in Los Angeles, CA

The  
**OWENS LAKE**  
Scientific Advisory Panel

**Los Angeles, CA**



# **PARTICIPANT PACKET**

MAY 9, 2019

*The National Academies of*  
SCIENCES • ENGINEERING • MEDICINE

Owens Lake Scientific Advisory Panel

**First Meeting**

**May 3, 2019**

**Los Angeles Department of Water and Power; 111 North Hope St; Los Angeles, CA 90012**

**PRELIMINARY MEETING AGENDA**

**Friday, May 3rd**

**8:30 - 9:50 AM** *Panel members and National Academies staff meet in closed session.*

**OPEN SESSION**

*To join the session live over the Internet, see the instructions provided at the bottom of this agenda.*

**10:00 PDT**      **Opening Remarks and Introduction of Panel Members**  
Dr. David Allen, OLSAP Chair

**Owens Lake History and Context**

**10:05**      **Regulatory and Dust Control Implementation History**  
Phillip L. Kiddoo, Air Pollution Control Officer, GBUAPCD

**10:30**      **Owens Lake Dust Mitigation Project Phases**  
Jaime Valenzuela, Manager of Owens Lake Dust Mitigation Group, LADWP

**10:45**      **Overview of Dust Control Measure Development History**  
Dr. Grace Holder, Senior Scientist, GBUAPCD

**11:15**      **Questions from the Panel**

**Current Dust Control Status and Regulatory Requirements**

**11:30**      **Current Dust Control Status, BACM, and Regulatory Requirements**  
Ann Logan, Deputy Air Pollution Control Officer, GBUAPCD

**11:45**      **LADWP Current Operations, Maintenance, Infrastructure and Constraints**  
Jennifer Wong, Manager of Owens Lake Engineering, LADWP

**12:00**      *Lunch break*

*Continued*



**Key Constraints in Considering Alternative Dust Control Measures**

- 1:00**      **District's Constraints and Considerations**  
Phillip L. Kiddoo, Dr. Grace Holder, and Ann Logan, GBUAPCD
- 1:15**      **LADWP Regulatory Constraints, Obligations, and Considerations**  
Arrash Agahi, Capital Development & Implementation, LADWP
- 1:35**      **Questions from the Panel**

**Specific Measures for Panel Consideration**

- 1:55**      **Shrubs**  
Dr. Evan Burgess, Air Sciences Inc.
- 2:40**      **Shallow Flooding Wetness Cover Refinement Test/Soil Moisture**  
John Bannister, Air Sciences Inc
- 3:25**      **District Recommendations for the Panel**  
Dr. Grace Holder, Senior Scientist, GBUAPCD
- 3:30**      *Break*
- 3:40**      **Questions from the Panel**

**Perspectives on OLSAP's Task***Allotted times include 5 minutes for questions from the panel.*

- 4:00**      Jennifer Mattox, Science Policy Advisor, California State Lands Commission
- 4:20**      Kathy Bancroft, Tribal Historic Preservation Officer, Lone Pine Paiute-Shoshone Reservation
- 4:40**      Danelle Gutierrez, Tribal Historic Preservation Officer, Big Pine Paiute Tribe of Owens Valley

**Opportunity for Public Comment**

- 5:00**      *To make a comment, sign-up by 4:00 PM (PDT), either at the registration table outside of the meeting room or via email to Carly Brody at [CBrody@nas.edu](mailto:CBrody@nas.edu). Each speaker will have a maximum time limit of 3 to 5 minutes. Accompanying written materials are encouraged.*
- 5:30**      **End of Open Session**

# STATEMENT OF TASK

The Owens Lake Scientific Advisory Panel (OLSAP) is being established in response to a request from the Great Basin Unified Air Pollution Control District (GBUAPCD) in California and the Los Angeles Department of Water and Power (LADWP) to evaluate, assess, and provide ongoing advice on the reduction of airborne dust in the Owens Valley in California. The request to establish OLSAP is pursuant to a Stipulated Judgment that LADWP and GBUAPCD entered into in 2014. The National Academies will establish, staff, and administer OLSAP according to institutional policies and procedures.

As indicated in the 2014 Stipulated Judgment, OLSAP's first task will be to evaluate the effectiveness of alternative dust control methodologies for their degree of PM<sub>10</sub> reduction at the Owens Lake bed and to reduce use of water in controlling dust emissions from the dried lake beds. (PM<sub>10</sub> refers to airborne particulate matter with an aerodynamic diameter of 10 micrometers or smaller.) The evaluation should consider associated energy, environmental and economic impacts, and assess the durability and reliability of such control methods.



## PROVISIONAL PANEL ROSTER

## The Owens Lake Scientific Advisory Panel

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**David T. Allen (NAE), *Chair***

Gertz Regents Professor of Chemical Engineering  
Director of the Center for Energy and  
Environmental Resources  
University of Texas at Austin

**Newsha K. Ajami**

Director of Urban Water Policy  
Water in the West Program  
Stanford University

**Roya Bahreini**

Associate Professor  
University of California, Riverside

**Pratim Biswas (NAE)**

Professor and Chair  
Department of Energy, Environmental  
& Chemical Engineering  
Washington University in St. Louis

**Valerie Eviner**

Associate Professor  
Department of Plant Sciences  
University of California at Davis

**Gregory S. Okin**

Professor  
Institute of the Environment and Sustainability  
University of California, Los Angeles

**Armistead G. Russell**

Howard T. Tellepsen Chair and Regents' Professor  
Georgia Institute of Technology

**Scott Tyler**

Professor  
Department of Geological Sciences and Engineering  
Adjunct Professor  
Department of Civil and Environmental Engineering  
University of Nevada, Reno

**Robert Scott Van Pelt**

Soil Scientist in Wind Erosion and Water  
Conservation Research  
Agricultural Research Service of the  
U.S. Department of Agriculture

**Akula Venkatram**

Professor of Mechanical Engineering  
University of California at Riverside

### ACADEMIES STAFF

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## 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 2, 2019

**To:** Governing Board

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

**Subject:** Travel Report

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**Summary:**

Phill Kiddoo Ann Logan Grace Holder	May 3 – 4	Owens Lake Scientific Advisory Panel	Los Angeles, CA
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Susan Cash Patty Gilpin	May 18 – 23	Government Finance Officer's Association Annual Conference	Los Angeles, CA
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Chris Lanane Alex Clayton Steve Mobley Lajos Kurucz Valerie Thorp Chris Howard Kim Mitchell Matt Picken Brian Russell	June 3 – 6	Primary Quality Assurance Organization Module 5 Training Session	Davis, CA
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Casey Freeman Matt Picken	July 7 – 12	ESRI User Conference	San Diego, CA
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**Board Action:**

None. Informational only.



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### BOARD REPORT

**Mtg. Date:** July 18, 2019

**To:** District Governing Board

**From:** Chris Lanane, Air Monitoring Specialist

**Subject:** Primary Quality Assurance Organization (PQAO) Training Update

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#### Summary:

The District is one of 21 air monitoring organizations under the purview of the State of California Air Resources Board (CARB) as the primary quality assurance organization (PQAO). CARB, as the District's PQAO, is required to provide quality assurance oversight to local air monitoring organizations within CARB's PQAO to ensure that consistent procedures are followed to produce data of similar quality. To ensure this objective is met, CARB has worked with the monitoring organizations under its umbrella to develop a comprehensive training program to ensure that all monitoring personnel within the PQAO were following consistent procedures in the monitoring, collection, and validation of air quality data and to ensure that all of the data collected are defensible and of high quality.

The training program developed consisted of three modules: 1) Fundamentals of Air Monitoring and Station Set-Up and Operation (May 2014); 2) Quality Assurance and Data Management (January 2015); 3) Air Monitoring and Data Collection Systems (July 2015). All three modules, plus Module IV (January 2017), a synthesis of the first three, have now been completed and presentations in both document and video form are available on the CARB website. Module V (June 2019), a revised synthesis of the aforementioned modules, with the addition of updates on current projects and programs, took place June 4-6, 2019, at the University of California-Davis campus. It is a requirement of the PQAO that all air monitoring personnel attend the training sessions, and eight members of the District's monitoring and data processing staff participated in the Module V training. EPA is reimbursing all districts for the travel costs for attending the training. Approximately 240 monitoring personnel attended the Module V training.

During the development phase of the Module V training program curriculum, all monitoring organizations/districts in the State were invited to participate. The District elected to send staff to participate in the development of the training materials. In Module V, Kim Mitchell and Chris Lanane helped in the development of the materials for the training event. Ms. Mitchell was a member of the subcommittee addressing data management and quality control activities. Mr. Lanane participated as a member of the subcommittee addressing quality assessment and

calibration/certification activities. Participating as members of these subcommittees involved five separate trips, each of which was 2-1/2 days in length, to Davis, California, beginning in October 2018, and every other month thereafter, to meet with other committee members and develop the curriculum for the training program

Great Basin staff members Kim Mitchell and Brian Russell also made presentations during the Module V training sessions, with Ms. Mitchell presenting a very engaging presentation on EPA's Air Quality System codes, that included substantial audience participation. Mr. Russell gave a fascinating presentation on Electronic Logbooks and the importance of secure electronic data collection systems. The District's participation in this effort helped to familiarize the CARB staff, staff from other District's, and EPA Region IX staff of the depth of expertise of the District's staff in the areas of air monitoring, regulatory requirements, data collection and validation, quality assurance, and monitoring station operation.

At the training sessions, all District monitoring staff gained a better understanding of how other districts conduct their operation, what types of monitoring equipment are used and their experiences with them, and the methods and processes that they use for data collection and validation. Additionally, the staff from all the districts, CARB, and EPA IX had the opportunity to interact informally and to put faces with names of people with whom they may have previously only interacted by e-mail or telephone. This interaction and attending the training sessions has broadened the District staff's knowledge of air monitoring operations and has provided contacts with whom staff may interact when common monitoring problems or issues arise.

**Fiscal Impact:**

None.

**Board Action:**

None. Informational only.



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### BOARD REPORT

**Mtg. Date:** July 18, 2019

**To:** District Governing Board

**From:** Tori DeHaven, Permit Coordinator/Board Clerk

**Subject:** Permit Enforcement Activity Report

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The permit database is maintained by the Permit Coordinator. Information collected from the Air Quality Specialists, Air Pollution Control Officer, and Deputy Air Pollution Control Officer is entered upon receipt. The data and reports are discussed regularly in permit enforcement meetings. Data collected as of June 30, 2019, is as follows:

#### 2<sup>nd</sup> Qtr. Permit Activity: April 1, 2018 – June 30, 2018

Permit Applications Received	2
Authority to Construct Issued	4
Temporary/Permits to Operate Issued	21
Permit Inspections	15
Notices of Violation Issued	1

#### 2<sup>nd</sup> Qtr. Permit Activity: April 1, 2019 – June 30, 2019

Permit Applications Received	4
Authority to Construct Issued	2
Temporary/Permits to Operate Issued	7
Permit Inspections	19
Notices of Violation Issued	0

#### Open Notices of Violation

Inyo County	Mono County	Alpine County
4	0	0

#### **Board Action:**

None. Informational only.



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### **BOARD REPORT**

**Mtg. Date:** July 18, 2019

**To:** District Governing Board

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

**Subject:** Air Pollution Control Officer Report

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A verbal report will be given at the meeting.