

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

November 7, 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 November 7, 2019 in the Mono County Board of Supervisors Chamber (2nd Floor), Mono County Courthouse, Main Street (U.S. Highway 395), Bridgeport, California 93517.

Governing Board members present:

Matt Kingsley, Board Chair, Inyo County
Fred Stump, Board Vice Chair, Mono County
Dan Totheroh, Inyo County
John Peters, Mono County
Ron Hames, Alpine County
David Griffith, Alpine County

Governing Board members absent:

John Wentworth, Town of Mammoth Lakes

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
Jonathan Becknell, Air Quality Specialist II
Jan Sudomier, Air Quality Specialist II

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

Jason Branz, California Air Resources Board
Gordon Martin, United States Forest Service
Taro Pusina, United States Forest Service
David Andersen, United States Forest Service
Michael O'Sullivan, Mono County Resident
Richard Johnson, Alpine County
Lara Kaylor, Mammoth Lakes Tourism
John Urdi, Mammoth Lakes Tourism
Rhonda Duggan, Mammoth Lakes Tourism/Mammoth Lakes Recreation

Agenda Item #1
Call to Order
Pledge of
Allegiance

Board Chair Kingsley called to order the regular meeting of the Governing Board at 10:00 a.m.

Board Member Peters then led the Pledge of Allegiance.

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

Board Chair Kingsley asked for public comment on items not on the agenda at 10:01 am.

No comment was offered.

Agenda Item #3
WORKSHOP
Potential
Revisions to the
District Smoke
Management
Program and
Associated Open
Outdoor Burning
Rules
(No Action)

Board Chair Kingsley opened the public workshop at 10:01 am.

APCO Kiddoo gave a brief introduction regarding the workshop.

DAPCO Logan presented the staff report as presented in the Board Packet. She noted that the current Memorandum of Agreement (MOA) expired in 2006, along with the specific agencies, staff is working to update and revise the smoke management program and MOA. Revisions being considered:

- Clarify and remove redundancies and simplify the documents.
- Remove unnecessary obstacles.
- Improve communication and coordinate protocols.
- Update language to state that burning shall be managed to minimize smoke impacts to populated areas.
- Add procedures for reviewing ignition requests on marginal burn days.
- Incorporate additional details to clarify the procedures for naturally ignited wildfires managed for resource benefits to supersede the Operating Plan for Wildland Fire Use Smoke Management.
- Add additional details for addressing cross-jurisdictional smoke impacts.

Board member concerns included:

- Providing mitigations to address public health concerns such as cooling centers or clean air shelters.
- Language to help mitigate issues when dealing with smoke impacts from adjacent land managers and air districts.
- Standardized public health mitigation tools such as a recommended list of masks or a “Be Prepared” kit.
- Greenhouse gases and climate change impacts.
- Involving local tribes.
- Economic impacts and expenses to local agencies such as counties.

Dr. Richard Johnson, Alpine County Public Health Officer, noted that he appreciates the health advisories sent out by the District. As far as clean air shelters or cooling centers, each county deals with those situations differently and requires a lot of collaboration and money. Each is very event specific and it would be difficult to have a plan prepared. He went on to explain that when it comes to masks as a mitigation to

protect public health during high smoke impact instances, there is a lot of controversy and disagreement between health officers. There are some people that would not benefit from the use of an air filtration mask. Dr. Johnson added that he believes that having more monitoring in microclimate areas, such as Bear Valley, would be helpful as well.

Mr. Michael O’Sullivan, southern Mono County resident, recalled the once accepted burning practices in California and their impacts. He also recalled the efforts by the District and its Board to improve air quality in local communities. He expressed concern over the land managers efforts to relax burning regulations to decrease costs.

Mr. John Urdi, Mammoth Lakes Tourism, asked for clarification regarding repealing restrictions to burn on holidays. The economic impacts for the region are tremendous if allowed to burn during peak times of the year, including holidays.

Ms. Rhonda Duggan, Crowley Lake resident, spoke regarding unintended consequences of burning such as impacts to residents and visitors as well as economic impacts.

Mr. Jason Branz, California Air Resources Board, stated that the California Air Resources Board (CARB) is taking a more flexible position regarding prescribed burning with the Governor’s order from last year and in response to the destructive fires occurring in the last couple of years. CARB is trying to work closely with land managers while also working to protect public health.

Mr. Taro Pusina, Inyo National Forest, applauded collaborative efforts of the District, the Board and land managers to update the outdated MOA. Mr. Pusina noted that he has dedicated his career to fighting unwanted wildfires and is passionate about building resilience back to our communities and the important shared values such as recreation, tourism, sensitive plants, animals, cultural historic heritage sites which are all at great risk. He noted that one hundred years of a very successful and active fire suppression has resulted in smoke and fire “debt” which is being paid back in spades, for example, the Camp Fire. Communities are being lost. As a result, the state and other agencies are tasking the land managers with accountability and expect them to proactively conduct these treatments. Land managers are working closely together with the District to seek valid compromises and solutions in order to protect public health while taking a stance of proactive fire management policies.

Agenda Item #4
Consent Items
(Action)

Motion (Griffith/Stump) approving consent item a as follows:

- a. Approval of the September 5, 2019 Regular Governing Board Meeting Minutes.

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

Noes: 0

Abstain: Board Members - Peters

Absent: Board Members – Wentworth

Motion carried 5/0 and so ordered.

B/O #191107-4a

Motion (Griffith/Totheroh) approving consent item b as follows:

- b. Authorization for GBUAPCD to Enter into a Grant Agreement with CARB for the Woodsmoke Reduction Program 2018-2019 in the Amount of \$100,168.07 and Authorize the APCO to Sign all Paperwork Related to the Grant.

Ayes: Board Members – Kingsley, Totheroh, Stump, Hames, Griffith, Peters

Noes: 0

Abstain: 0

Absent: Board Members – Wentworth

Motion carried 6/0 and so ordered.

B/O #191107-4b

Agenda Item #5
Approve and Authorize Board Chair to Sign Amendment to Contract with Phillip L. Kiddoo for the Provisions of Personal Services as the District APCO (Action)

Motion (Hames/Peters) approving and authorizing the Board Chair to sign Amendment Number 2 to the Personal Services contract with Phillip L. Kiddoo, Air Pollution Control Officer.

Ayes: Board Members – Kingsley, Totheroh, Stump, Hames, Griffith, Peters

Noes: 0

Abstain: 0

Absent: Board Members – Wentworth

Motion carried 6/0 and so ordered.

B/O #191107-05

Agenda Item #6
Approval of Draft Update to District Unification Agreement (Action)

Motion (Peters/Hames) approving draft changes to the unification agreement and directing staff to proceed with next steps.

Ayes: Board Members – Kingsley, Totheroh, Stump, Hames, Griffith, Peters

Noes: 0

Abstain: 0

Absent: Board Members – Wentworth

Motion carried 6/0 and so ordered.

B/O #191107-06

Agenda Item #7
Public Outreach Regarding Emergency Generators and

APCO Kiddoo explained how the Public Safety Power Shutoff (PSPS) events impact the District specifically to District monitoring stations.

Public Safety
Power Shutoff
Events
(No Action)

DAPCO Logan added as a result of these impacts many residents, agencies and businesses have become interested in backup generator power. In response the District has begun to develop and implement a public outreach to inform businesses and the public of permitting requirements as well as public health considerations for use of emergency generators. A District permit is required for any residential or commercial diesel generator that's greater than 50 horsepower. Permits may be required for large gasoline or propane generators, depending on the emissions. A press release and webpage have been released to notify the public and businesses of information and frequently asked questions.

Board member Griffith suggested sending the press release to building departments within the counties.

Board member Stump expressed concern regarding permit fees; he noted he would like to see a provision for a request for a fee waiver for emergency situations such as PSPS events.

Board Chair Kingsley suggested staff research the fee waiver issue and come back with a recommendation.

Agenda Item #8
Informational
Items
(No Action)

No questions or comments.

Agenda Item #9
Board Member
Reports
(No Action)

Board member Hames: interested in showing the Board/District a recent golf engine invention he came across. He also recently toured the superfund site (Leviathan Mine) in Alpine County.

Board member Griffith: Noted that he's very much against strict regulation regarding Leviathan Mine, unless there's a major violation. Alpine County is working to get monitoring station for Washoe Tribe.

The other Board members noted they had nothing further to report.

Agenda Item #10
Air Pollution
Control Officer's
Report
(No Action)

As well as the staff report, APCO Kiddoo reported on the following items:

- The current Air Quality Specialists, Mr. Jonathan Becknell and Ms. Jan Sudomier, are both retiring at the end of 2019. The District thanks them for the valued service and many contributions. There is also a vacant Air Monitoring Technician position vacant. Staff is in the process of recruitment and hiring to fill the position.
- Mono Lake Monitoring updates: Work continues. District is working on the air quality monitoring update and collaborating with partners on a hydrological monitoring update. There is a looming deadline for the City regarding Mono Lake not reaching the level as required by the State Resources Water Control Board and staff is trying to come up with creative ways to engage the City for their involvement with the project.

- Owens Lake compliance period began 10/16/2019. The City is currently operation 48.6 square miles of dust control; which is the largest in the country. A Phase 9/10 deadline is coming up as well.
- In early 2019, the District made some important changes in the operation and management of the Keeler Dunes Project. Three major changes are: 1) contract with American Conservation Experience (ACE) for conducting vital irrigation, planting and other project operation tasks; 2) an intern has been hired by the District to manage the ACE staff and associated activities; 3) there is a lot more involvement with District staff including the growing and acclimation of 10,000 plants for the Keeler Dunes Project.
- Regarding the Clean Air Project Program (CAPP), staff is in the process of preparing to develop the program guidelines and developing an implementation timeline for utilizing the CAPP funds, which were received from the City of Los Angeles Department of Water and Power (City) on February 6, 2019. The Board shall have the sole authority and discretion regarding project selection and approval but will consider any project recommendations made by the City in accordance with the District 2011 Stipulated Order of Abatement (2011 SOA).

Agenda Item #11
 Consider Cancellation of the Next Regular Meeting (January 2, 2020) of the Governing Board and Scheduling a Special Meeting (Action)

Motion (Hames/Totheroh) canceled the January 2, 2020 regular meeting and scheduling a special meeting for Thursday, January 9, 2020 at 10:00am in Inyo County, CA.

Ayes: Board Members – Kingsley, Totheroh, Stump, Hames, Griffith, Peters

Noes: 0

Abstain: 0

Absent: Board Members – Wentworth

Motion carried 6/0 and so ordered.

B/O #191107-11

Agenda Item #12
CLOSED SESSION

The Board convened into closed session at 12:55 pm.

The Board re-convened into open session at 1:03 pm.

Board Chair Kingsley left at 1:03 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.

Report: Nothing to report.

Adjournment

The meeting was adjourned by Board Vice Chair Stump at 1:03 pm. The Board will reconvene in open session at 10:00 am, on Thursday, January 9, 2020 in Bishop California.



Matt Kingsley, Board Chair

Attest:



Tori DeHaven, Board Clerk