

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

March 11, 2021

(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 March 11, 2021, via teleconference (*in light of COVID-19 concerns and in response to Governor Newsom's Executive Order N-29-20 dated March 17, 2020.*)

Governing Board members present:

Rhonda Duggan, Mono County
Stacy Corless, Mono County
Matt Kingsley, Inyo County
Jennifer Roeser, Inyo County
Ron Hames, Alpine County
David Griffith, Alpine County

Governing Board members absent:

John Wentworth

A quorum was present.

GBUAPCD staff present:

Phill Kiddoo, Air Pollution Control Officer
Susan Cash, Administrative Projects Manager
Tori DeHaven, Clerk of the Board
Kimberly Mitchell, Research & Systems Analyst II
Grace Holder, Senior Scientist
Chris Welch, Air Monitoring Technician I

Members of the public included: (as indicated by voluntary verbal identification)

Nelson Mejia, City of Los Angeles Department of Water & Power

Agenda Item #1
Call to Order
Pledge of
Allegiance

APCO Kiddoo called to order the special meeting of the Governing Board at 10:02 a.m.

APCO Kiddoo then led the Pledge of Allegiance.

Agenda Item #3
Election of
Governing Chair
and Vice-Chair
for 2021 (Action)

Motion (Kingsley/Duggan) electing Board member John Wentworth as Governing Chair for 2021 and Board member Ron Hames as Governing Vice Chair for 2021

Motion by Roll Call:

Ayes: Board Members – Corless, Kingsley, Roeser, Hames, Duggan, Griffith

Noes: 0

Abstain: 0

Absent: Board Member - Wentworth

Motion carried 6/0 and so ordered.

B/O #210311-03

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

Board Vice Chair Hames asked for public comment on items not on the agenda at 10:07 am.

No public comment was offered.

Board member Roeser noted that she had received comments from two federal agencies regarding the District’s ability to receive payment via credit card.

Board member Kingsley added that he had the same comments and asked if staff would be addressing this issue.

APCO Kiddoo noted that he had intended to address the concerns during his Air Pollution Control Officer’s report.

Agenda Item #4
PUBLIC
HEARING:
Fiscal Year
2021-2022 Total
District Budget –
Staff Report and
Public
Comments on the
Draft General
Fund and SB 270
Sub-budgets
(No Action –
First of Two
Required Budget
Hearings)

The public hearing was opened at 10:09 am.

Ms. Susan Cash, Administrative Projects Manager, gave an expanded overview of the District’s budgets and budget approval process for the benefit of the newly appointed Board members.
(Information on the District’s budgets can be found within the Board Packet, as submitted for the March 11, 2021 meeting, and which is available upon request to the Clerk of the Board)

Board member Kingsley asked if the General Fund budget is separate from the SB 270 reserves.

Ms. Cash confirmed that it is.

Board member Kingsley asked if this is the first year that the District would supplement the Keeler Dunes Project with the General Fund.

Ms. Cash explained that this current fiscal year (2020-2021) the budget was approved to transfer \$222,000 to Keeler Dunes. However, due to the actual costs and expenses being lower than what was budgeted, the transfer for this fiscal year (2020-2021) will only be about \$75,000. So, in clarifying, staff asks for approval for the maximum amount and then as under expenditures occur, staff does not end up transferring as much as they had originally asked for.

Board member Griffith asked if the expected significant decrease in cost of health insurance, through CalPERS, was due to a change in benefits to the staff.

Ms. Cash replied, no. However, to be clear, the decrease in cost is specific to the plan that District employees have and not necessarily to the plans that all your agencies have.

Board member Griffith asked how they cut their revenues by 17% and still maintain the same level of benefits.

Ms. Cash responded that they (CalPERS) would be shifting it to the other PPO plans; they have determined that the current District plan is well overpriced.

Board member Kingsley noted, under Professional Services, the budgeted amount for Kings Spaulding, which is the District's outside legal counsel, is down considerably compared to previous years.

APCO Kiddoo agreed and noted that the \$250,000 budgeted covers more than the District's cost. Previous years saw an increase in costs in relation to active litigation.

Board member Roeser asked if staff anticipated future transfers, from the General Fund, necessary for the Keeler Dunes Project.

Ms. Cash replied, yes. If the project continues it would have to be wholly funded by the District General Fund reserve. She also added, in response to Board member Kingsley's comment, if less than \$250,000 is used for legal fees than the amount left over would be applied as a credit toward the fee assessment that LADWP pays.

Board Vice Chair Hames asked for public comment at 10:31 am.

Mr. Nelson Mejia, City of Los Angeles Department of Water & Power, introduced himself. He then noted that LADWP would be submitting their comments on the budgets next week. LADWP does have concerns regarding the assessment, specifically with how it relates to Mono Lake. LADWP requests that costs associated with Mono Lake be separated from those associated with Owens Lake.

Board Vice Chair Hames closed the public hearing at 10:35 am.

Agenda Item #5
Consent Items

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

(Action)

- a. Approval of January 7, 2021, Governing Board Meeting Minutes
- b. Approve and Authorize the Air Pollution Control Office to Accept and to Enter into the AB197 Emission Inventory Grant Agreement for Quality Assurance Review of Point Source Emissions Data from the California Air Resources Board, for this upcoming Fiscal Year as Well as for any Future Years
- c. Approve and Authorize the Air Pollution Control Officer to Sign, Enter Into, and Forward the Letter Agreement, and Any Other Related Documents, Allowing the California Air Resources Board to Allocate the District's Years 23 Through 27 Moyer Funds to the San Joaquin Valley Air Pollution Control District for Project Administration as Set Forth in the Letter
- d. Approve and Authorize the Air Pollution Control Officer to Approve a Purchase Order for the Procurement of Two (2) Filter-based Particulate Matter Monitors (Partisol 2025i-AV) from Thermo Scientific, A Sole-Source Provider, for \$50,000
- e. Waiver of Annual \$0.55 Per Capita Town and Counties Assessment Fee for Fiscal Year 2021-2022
- f. Waiver of the Automatic Consumer Price Index Increase for District Permit Fees Based on the Draft Fiscal Year 2021-2022 General Fund Budget (Less Special Funds) for the 2021-2022 Fiscal Year and Amount of Current General Fund Reserve Funds
- g. Approval and Authorization of the Purchase of Property at 190 Cerro Gordo Road, Keeler, CA (Parcels 031-066-08 & 031-066-14)
 - 1. Approve the Purchase of Property at 190 Cerro Gordo Road, Keeler, CA (Parcels 031-066-08 & 031-066-14) for \$30,000, Paying 50% of the Closing Costs, and Authorizing the Air Pollution Control Officer to Sign Any and All Documents to Complete the Purchase.
 - 2. Approve Payment of Escrow Deposit to Inyo Mono Title in the Amount of \$1,000.
 - 3. Adopt Attached Resolution No. 2021-02
- h. Approval of the CAPP II Competitive Grant Administration Contract with Inyo County and Appropriation of \$1,400,000 from the CAPP II Trust and General Fund Reserves
 - 1. Approve the Agreement Between the District and Inyo County for the Provisions of Grant Administration Services in an Amount Not to Exceed \$140,000 and Authorize the Air Pollution Control Officer to Sign; and,
 - 2. Authorize the Appropriation and Expenditure of the Remainder of the CAPP II Trust Fund; and,

3. Appropriate Funds from the General fund Reserve Required After Exhaustion of the CAPP II Trust Fund to Fund the Remainder of the Competitive Grant Program. The Amount of General Fund Trust Funds Appropriated is Not to Exceed \$363,528.

Motion by Roll Call:

Ayes: Board Members – Corless, Kingsley, Roeser, Hames, Duggan, Griffith

Noes: 0

Abstain: 0

Absent: Board Member – Wentworth

Motion carried 7/0 and so ordered.

B/O #210311-05

Following consent, Board Vice Chair Hames asked the new members of the Board to introduce themselves. New Board members Duggan and Roeser, along with returning Board member Corless each gave a brief introduction about themselves.

Agenda Item #6
Keeler Dunes
Project Update
(No action)

Dr. Grace Holder, Senior Scientist, gave a slide show presentation on the progress of the Keeler Dunes Project. Details about the project as well as the current update can be found within the board report as presented in the Board Packet (*copies are available upon request to the clerk of the Board*)

Important things to note:

- The original project was developed in 2013.
- The goal of the Keeler Dunes Project is to eliminate the PM₁₀ exceedances in the communities of Keeler and Swansea that come from the Keeler Dunes through the establishment of a stable vegetated dune system.
- The original project design called for all of the straw bales and plants to be installed within the first year of the project. Difficulty in getting the needed straw bales and plant materials for the project in a timely manner set the project back from the very beginning but also has allowed us to learn more about the conditions and requirements for success.
- Initial control of the active dunes was achieved through the placement of an array of intact straw bales on the surface to reduce sand motion in order to stabilize the surface and allow plant growth. Native shrubs have been planted within the straw bale array and will replace the bales as they mature and the bales degrade.
- The Keeler Dunes Dust Control Project began implementation in 2014 and is currently in its 7th year of implementation, well over the 3-year timeline in the original project design. In retrospect, the original timeline was overly ambitious, and the restoration work has taken longer than anticipated. The project timeline was extended from the original completion date of December 2017 to allow for additional planting and control efforts and a long-term plan

was developed in 2019 that extends the project to 2024. The 2020-2021 year is the second year of implementation of the long-term plan.

- The seventh overall planting effort is currently underway and consists of about 10,000 young native shrubs. Once this planting work is complete, in mid-March 2021, there will have been over 234,500 plants installed in the project since 2015. Improved planting approaches have been learned during the course of the project resulting in better establishment success over the last couple of years. Early planting efforts had survivorship at an estimated 10-20%. More recent planting work completed in the last two years (2019 and 2020) has an overall estimated survivorship of 85-90% with the majority of plants not only just surviving but, in many cases, thriving.

Agenda Item #7
Informational
Items
(No Action)

Board Vice Chair Hames asked for public comment at 11:21 am.

No public comments were offered.

Agenda Item #8
Board Member
Reports
(No Action)

Board member Griffith: First Tuesday in April, Alpine Bio-Mass Collaborative is having a presentation on prescribed fire. There will also be a presentation, made by APCO Kiddoo, on the Great Basin Unified Air Pollution Control District air management plan.

Board member Kingsley: Inyo County is working with the District to administer the CAPP grants.

Board member Corless: Expressed appreciation of District staff's work to distribute information during the catastrophic wildfires. Mono County won lawsuit against LADWP. LADWP has been ordered to provide water in Long Valley.

Board member Roeser: Nothing to report.

Board member Duggan: Owens Valley Groundwater Authority is continuing with community outreach for feedback from the communities regarding the groundwater sustainability plan.

Board Vice Chair Hames: Thanked the Board for scheduling a special meeting so he could attend the Sierra Nevada Conservancy meeting which was scheduled at the same time as the regular meeting of the District Governing Board. Also, money has been allocated, for this fiscal year and next, to help fight wildfires.

Agenda Item #9
Air Pollution
Control Officer's
Report
(No Action)

APCO Kiddoo updated the Board on the following two items:

District: Deputy Air Pollution Control Officer, Ann Logan, is currently on maternity leave. Administrative staff is working with Inyo County to setup an electronic payment system that would allow for credit card payments. Being that Inyo County

Treasurer holds our money, District staff must look to them for permission to set up an electronic payment system. We expect to have that up and running within the next couple of months.

SB 270: In 2017 the Governing board passed Resolution 2017-01 which gave staff the authorization to pursue the nomination of Owens Lake as an archaeological district and also to work on a management plan for Owens Lake, incorporating all of the components of the Stipulated Judgment. These include dust control mitigation, water conservation, biological resource protection, and cultural resource protection. District staff has been working with and involved regularly with the Tribal Oversight Committee. The nomination of Owens Lake to the National Register of Historical Places has been submitted to the State Historic Preservation Officer and we are now waiting for a response. The meetings of the Patsiata Cultural Resource Task Force (CRTF) are still ongoing. Staff is also working with LADWP and the CRTF on a T32-2 pilot project; this would be the first dust control project that staff and LADWP would be doing without an order and in a collaborative process.

APCO Kiddoo also noted that he hired a new Air Monitoring Technician, Chris Welch. He then gave a brief introduction about him.

**Agenda Item
#11
CLOSED
SESSION**

The Board convened into closed session at 11:46 am.

The Board re-convened into open session at 11:55 am.

**10. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL –
ANTICIPATED LITIGATION [Pursuant to Government Code Section 54956.9] –
Discussion with Legal Counsel Regarding Anticipated Claim Against the District**

Report: Nothing to report.

Adjournment

The meeting was adjourned by Board Vice Chair Hames at 11:57 am. The Board will reconvene in open session at 10:00 am, on Thursday, May 6, 2021, via teleconference (details to follow).



John Wentworth, Board Chair

Attest:



Tori DeHaven, Board Clerk