



Red Rock Citizens Advisory Council

MEETING MINUTES



Date & Time: Wednesday, February 29, 2012 at 7:00PM

Location: Blue Diamond Recreation Hall, Village Blvd., Blue Diamond, NV 89004

BOARD MEMBERS PRESENT:

Barbara Luke, Chair
Max Heeman, Vice-Chair
Robert Matthews
Susan Sellmann
Michele Ward, Secretary

POSTING LOCATIONS:

Blue Diamond Library
Blue Diamond Post Office
Blue Diamond Village Market
Calico Basin Mailboxes
Kulka Road Mailboxes

BOARD MEMBERS ABSENT:

Evan Blythin

OTHERS PRESENT:

Approximately 45 other people were present.

I. CALL TO ORDER

- A. The meeting, being legally noted and posted in conformance with the Nevada Open Meeting Law, was called to order at approximately 7:00pm by Barbara Luke. The pledge of allegiance was recited.

II. ADMINISTRATIVE ITEMS

- A. The Council welcomed Chris Munhall, our Town Liaison; Joel McCulloch and Rob Kaminski from Clark County Planning; and Jordan Bunker, Water District Representative.
- B. *Ms. Luke made a motion to approve the agenda for the February 29, 2012 meeting, with a change to move Reports before the Zoning Agenda. The motion passed unanimously. Ms. Luke made a motion to approve the minutes from the February 1, 2011 and February 15, 2011 meetings, and the motion passed unanimously.*
- C. Ms. Luke read a statement from Mr. Blythin, in which he stated that he was not attending the meeting because he feels that the Gypsum presentation is a violation of the Title 30 major projects process. Two members of the public stood up to state that they agreed with Mr. Blythin and walked out of the meeting.
- D. Mr. Matthews reviewed the Council’s recent correspondence with the District Attorney, Rob Warhola. The Council had questioned the legality of Gypsum Resources draft Specific Plan and PFNA review scheduled for today’s agenda, and the D.A. had responded that he felt Gypsum was entitled to proceed with their presentation.

III. REPORTS

- A. Water District representative Jordan Bunker gave his report as follows. The Blue Diamond wells’ February 2012 water levels are down a little over half a foot from the prior month, and about 1.5’ down from last year. The drop is due to drought conditions and a dry winter. Mr. Heeman requested that Mr. Bunker explain as best as he can the source of the water ‘Gypsum’ is using for their activities on BDH and if / how it may affect the Blue Diamond Water system at the next meeting.
- B. Mr. Munhall, our Town Liaison, gave his report as follows: 1) The broken cattle guards in Calico Basin have been fixed. 2) The Blue Diamond Library and Post Office sign that fell down is now back up. 3) He read a report from the recent County review of the surfacing project that stated that most of the cracks were “reflective cracks” from below the seal. However, some of the cracks were considered too deep and wide and they will send someone out to fix these.

BOARD OF COUNTY COMMISSIONERS

SUSAN BRAGER, Chairman • STEVE SISOLAK, Vice-Chair
LAWRENCE L. BROWN, III • TOM COLLINS • CHRIS GIUNCHIGLIANI • MARY BETH SCOW • LAWRENCE WEEKLY
DONALD G. BURNETTE, County Manager

IV. ZONING

- A. Ron Krater, representative for Gypsum Resources, presented a summary of their preliminary Specific Plan and Public Facilities Needs Assessment (P.F.N.A.). This draft plan has been submitted to the County as part of the major projects process as per a Title 30 ordinance revised in August 2011. Gypsum plans on submitting their final Specific Plan and PFNA to the County in March 2012. A few key points from the presentation:
- a. There will be no *primary* access on SR159.
 - b. Comprehensive Dark Sky Ordinance lighting techniques have been incorporated.
 - c. The plan does not include any BLM lands.
 - d. The included land involved either 2464 or 2016 acres.
 - e. Residential area is proposed for 79% of the total development area. The plan also introduces a variety of non-residential land uses, such as business, employment, research and education (8%), mixed use (i.e. residential housing, employment and commercial; 3%), civic (i.e. churches, 1%), commercial (1%), open and public space (8%, not including natural open spaces preserved in plan).
 - f. Max allowable density is 2.5 units per acre, for a total of 5040 residential units.
 - g. Open lands are designated as open space and to remain open space.
 - h. Commercial Tourist and Industrial areas have been removed from Specific Plan, and public parks, recreation and trail systems have been proposed.
 - i. Four alternate intersections on SR160 are being considered for primary access. The access road will utilize previously impacted areas, in particular the Kern River Gas Line corridor. Because Gypsum's primary access road plan calls for a bifurcated road, they believe this provides both main and emergency access as needed.
- B. Don Purdue, Project Manager for Gypsum, gave a presentation on the technical aspects of the plan. In the event that the project is approved, these are key design points that would be included:
- a. The access road incline averages 8% and in parts increases to a 9% grade.
 - b. Water plan has a max 3000 gallons per minute daily output. All homes will have in-home sprinkler systems.
 - c. Clark County requires one fire station for every 1700 acres and/or 5000 units. Fire station is planned as a joint facility with the Las Vegas Metro police.
 - d. Two elementary school sites are planned within a walkable distance from the residential units. Population threshold does not meet requirements for middle or high school.
 - e. Water will be supplied from LVVWD supply, from existing facility on Hualapai Rd, just to the South of Blue Diamond. The water will be pumped along SR 160 and up the access road through a series of four reservoirs.
 - f. The project will utilize a package treatment plant for sewage with reuse of the effluent until the project reaches 80% of development, at which time it will need to connect to the municipal sewer system.
 - g. Economic impact analysis is over \$2 billion direct to S. Nevada, overall \$3.5 billion indirect. 12,000 person-year jobs direct, over 20,000 indirect.
 - h. Geotech study shows corrosive soil on site. Remediation work will need to be done on existing mine site.
 - i. Air quality and environmental review: met with Desert Conservation group and the areas of the site with Blue Diamond cholla will be left in their natural condition. Dust will be controlled per air quality standards.
- C. Public response:
- a. The main concern from the crowd concerned recent activity regarding construction vehicles going to and from the mine access road off SR159. Gypsum explained that the equipment on the hill is not there for real estate development activities, but for mining and reclamation only. When pressed for more details from various people, Gypsum stated that they were removing tailings from previous mining works, as well as exploring and identifying gypsum resources. Gypsum also stated that they have spent several million dollars to date for work done on the site.

- b. When questioned as to why they felt they had the right to access the site via the mining road off SR159, Gypsum stated that they have access rights for mining and reclamation due to the fact that it is an RS2477 road and therefore available to the public. They base these rights on current mining law and on conversations with the BLM.
- c. Someone questioned how the developer owes no taxes when the property has an assessed value of \$5.9 million. Gypsum responded that the property is a mine site, and the current work being done on the site is mine-related.
- d. Justin Jones, legal counsel for the Save Red Rock organization, had many questions for Gypsum regarding recent mining and reclamation activities, and how the site could continue to be an active mine site during the development. When he pressed how long it would take Gypsum to remove the 12 million tons of gypsum reserves on the site, Gypsum responded that it depended on market conditions. Gypsum also reaffirmed that construction vehicles on the mining road off SR159 will not be used to begin construction of an access road to the development.
- e. Lisa Mayo pointed out that there was no mention of active mining activities when the concept plan was presented last year to the Council, and asked why they were presenting their development plan today when they had plans to mine the site. Gypsum responded that under Title 30, an approved development cannot be put on hold. She also questioned why Gypsum relinquished access to the road off SR159 by withdrawing their previous waiver when they planned to use the road for mining activities. Gypsum responded that the waiver request was “solely and completely in conjunction with the development plan”, and that it was requested by James Hardy Gypsum, not the developers.
- f. Someone asked if Gypsum planned to blast the site for the removal of Gypsum, and the answer was yes.
- g. The Chair announced that Clark County staff reminded the Council that the purpose of the meeting was to hear the Specific Plan and PFNA, and that it was not the time for off-topic questions. The Chair disagreed that the questions about mining were off-topic, but asked that Gypsum come to the next meeting to answer these types of questions. Gypsum agreed.
- h. Someone pointed out that it seemed as though the “core” of the development was outside the land that Gypsum owned. Gypsum explained that this area including proposed public roads, parks and facilities are considered “public open space”.
- i. The Council Board members who were present gave their opinions:
 - i. Ms. Luke appreciated that Clark County Planning allowed for more public input into the major plan development process in the Title 30 revision of August 2011. However, she feels it is wrong to be talking about the development at this time, when the access issues are yet to be worked out and therefore the current draft plans are excessively speculative. In addition, the invite was to look at a draft plan, but the one that was provided proved to be out of date by the meeting. She thinks that 20,000 people living on top of a mesa is a ridiculous idea considering the engineering and energy required, for example to pump water up the hill and return sewage down the hill, and the concurrent mining. If the development is to be built, the access road should intersect with Highway 215, not SR160.
 - ii. Mr. Heeman questioned whether the commercial and institutional facilities planned were within Gypsum holdings or on BLM land. Gypsum answered that some of the proposed public facilities in the plan are in fact on BLM land, but that there were no “development uses” on BLM land. When asked for clarification as to how the development plan total was 2016 acres, Gypsum answered that 130 acres of the plan were on BLM land. Mr. Heeman wanted to know if any contracts with the LVVWD were in place, and Gypsum responded not yet, although they have had conversations with LVVWD and feel they will be able to get this water. He asked what would be done with the solid waste until the sewer system pipe was in place. Gypsum stated the waste would be trucked off the hill and the gray water would be recycled for use on the site.
 - iii. Ms. Sellman stated as she has before that while she feels this is a lovely plan, it is in the wrong place.

- iv. Mr. Matthews outlined a section from the Gypsum Reclamation study dated January 8, 2011 in which Gypsum had stated they would be mining and using the limestone and dolomite, and that resources were located in the North and Northwest areas of the site, including the Margo Claim. He clarified with Gypsum that they planned to mix some of the tailings with development materials such as concrete. Gypsum confirmed this was the case. He asked Gypsum to confirm that they in fact have rights to use approximately 47-49 acre-feet of water from the Blue Diamond Well for their construction activities, and Gypsum confirmed that yes this is the case for their pre-construction activities. They do not own these water rights and no long-term use is planned for these rights. Mr. Matthews asked for clarification on a statement in the PFNA that sounded like there were two access routes off 159, and it was determined to be a mistake in the plan. He also asked what would constitute "ROW approval from the BLM" which is required prior to the approval of the Specific Plan. County staff spoke up to say that a letter from the BLM would probably suffice, but that the Dept. of Public Works would make that determination. Mr. Matthews questioned County staff as to whether land for the parks would be given by the County once approval has been given by the BCC? County staff replied that typically the County applies for a property lease then the developer builds the park then dedicates the park to the County, but that Mountain's Edge has a master HOA agreement to maintain their parks, which is also an option for Gypsum. Mr. Matthews pointed out that he thinks the Kern River gas line alternative is the best access road option. He then questioned the impact to nearby schools from the development, the cost to bus the children to school from the development and the potential need for new schools to be built by the County, since as previously stated no middle school or high school would be built on the development site. Gypsum did not know the impact, the costs or who would bear those costs, so Mr. Matthews requested that Mr. Purdue find out and send him the answer.

COMMUNITY CONCERNS

- A. Mr. Matthews pointed out that SR160 was now being worked on, and that due to a change of plans, the road should be smooth in a couple of weeks. In May or June the final surface will be put on. Heather Fisher asked if there would be rumble strips along the side, expressing concern that the road would be too narrow for bikes if these strips were added. Mr. Matthews said it had originally been mentioned that rumble strips would be added but that it was subject to change.

VIII. ADJOURNMENT

- A. The next meeting is scheduled for March 28, 2012. The meeting was adjourned at 8:00 pm.