



COMPREHENSIVE PLANNING
NELLIS DUNES ADVISORY COMMITTEE
May 4, 2009

MEMBERS PRESENT:

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| Bureau of Land Management | Marilyn Peterson |
| Clark County Dept. of Air Quality & Environmental Management | Chuck Richter |
| Clark County Parks & Recreation | Steve Corry |
| Horizon Properties | Virginia Pietrafeso |
| Las Vegas Convention & Visitors Authority | Julian Dugas |
| Nellis Air Force Base | Terrence Henderson |
| Nevada Operating Engineers Local 12 | Cary Parker |
| Skanche Consulting | Ryan Arnold |
| Southern Nevada Off Road Enthusiasts | Don Wall |
| Southern Nevada Trails | Zack Livreri |
| Stanley Engineering | Dan Bender |
| Thumpertalk | Brian Wilson |

MEMBERS NOT PRESENT:

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| Assembly District 20 | Joe Hardy |
| Clark County Board of Commissioners | Tom Collins |
| Clark County Parks & Recreation | Michael Flores |
| Friends of Gold Butte | Terri Robertson |
| Nellis Air Force Base | Deborah MacNeill |
| The Sixth Degree | Randi Lyn Reed |

STAFF:

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| Clark County Dept. of Air Quality & Environmental Management | Tina Gingras |
| Clark County Dept. of Air Quality & Environmental Management | Gary Miller |
| Clark County Comprehensive Planning | Michael Popp |

- 1. Compliance with Open Meeting Law.** Mr. Arnold called the meeting of the Clark County Comprehensive Planning Nellis Dunes Advisory Committee to order on Monday, May 4, 2009 at 6:00 p.m.
- 2. Approval of April 6, 2009 Meeting Minutes.** The minutes were unanimously approved with a correction submitted by Mr. Richter regarding Item #9, second to the last sentence which states, "When trail heads were being developed within BLM's disposal boundary they had to review that and noted that they didn't want them to be paved so it's going to require a written change." Mr. Richter clarified that this is referring to trailheads for "equestrian facilities" located within the BLM disposal boundary. "They" is referring to the equestrian community. The issue is being reviewed in a different committee.
- 3. Discussion on Nellis Dunes Vision, Mission & Goals and Management Plan.** Mr. Popp reminded members that they are welcome to request this item be placed on a future agenda if they believe something needs to be added or changed. The Vision, Mission & Goals and Management Plan were unanimously approved.
- 4. Discussion on Air Quality Program for Nellis Dunes.** Mr. Richter and Ms. Gingras discussed various air quality and federal rules, regulations and permitting, and how it correlates with the Nellis Dunes project.

Section 90 (fugitive dust areas and vacant land)



COMPREHENSIVE PLANNING NELLIS DUNES ADVISORY COMMITTEE May 4, 2009

Section 90 covers the entire Las Vegas Valley. The Department of Air Quality and Environmental Management (DAQEM) stated that Section 90 would not be the better choice for this project. Section 90 does not have provisions to address this type of use.

Section 92 (unpaved roads/parking lots, access roads etc.)

Section 92 deals with unpaved parking lots, access roads etc. If it's outside of the BLM disposal boundary, which basically surrounds the metro area, the regulations state, "if it's a rural area, trail head, campground or similar facility then paving is not required and would have to meet one of the other Control Measures in Section 92."

State Implementation Plan (SIP)

The PM-10 SIP cannot be easily changed to exempt an area such as the Nellis Dunes Recreation area; it would take years to accomplish that. To make any type of change or revision it would have to show that the air quality can be maintained as it is now.

"Backsliding"

If the committee requests relaxation or exemption put into that rule in the SIP and EPA regulations, other areas would have to tighten up. If other areas are not tightened up it is called "backsliding."

Fugitive Dust

After applying for a Stationary Source Permit DAQEM would look at all the tracks being proposed, how many estimated vehicles would be coming and going from the area, how many generators would be out there, etc. and just like any source in the valley that has a permit, such as one of the quarries, casinos, rock plant, etc. Through the permitting process, the Nellis Dunes OHV Park would need to quantify all the emissions from all sources. This would include all the tracks and the amount of usage, the roads, parking lots and their usage. Include any generators or other fire fueled equipment. Determine the amount of fugitive dust from the areas that are not maintained by dust control. DAQEM can then use this information to determine the permit conditions. It is advisable to keep the amount of fugitive dust below the major source, Title V, threshold. Title V sources bring in much more regulation from EPA. Even when using the road bond material some fugitive dust would be produced, but much less.

Non-Attainment Area

The Nellis Dunes project is in a PM-10 non-attainment area. Non-attainment areas are essentially the Las Vegas Valley and Apex.

"Off-Set"

DAQEM advises not to do a major, Title V source, as this project is in a non-attainment area and an "off-set" would be needed. An off-set means something has to be shut down or reduce operation (for example a gravel plant) in the valley to reduce particulate matter and allow the emissions.

Controls and Emission Factors

If Nellis Dunes is permitted as a Stationary Source, Ms. Gingras recommended staying below 70 tons per year which she believes can be done but no guarantee since there are no plans in place yet. As long as the fugitive emissions are below 70 tons per year, Nellis Dunes will remain below major source thresholds and would not have to produce offsets for PM10. Under that level, DAQEM can permit Nellis Dunes as a minor source and would consider the



COMPREHENSIVE PLANNING NELLIS DUNES ADVISORY COMMITTEE May 4, 2009

recommended controls provided by Nellis Dunes. Nellis Dunes will be required to take controls but could negotiate these with DAQEM. To calculate their emissions, there is a guidance document supplied by the EPA (#AB42) that includes a lot of the emissions factors. If a factor is not specifically listed in the document then the source Nellis Dunes would need to justify use of some other emissions factors, whether it be from studies or tests. The source would use the emission factors along with frequency of use or vehicle miles traveled to predict the amount of fugitive emissions that the project area would have.

Section 12 (Stationary Source Permit)

There are certain exemptions already in the 90 Series rule such as some unpaved roads that won't require paving. DAQEM would just require keeping up with the performance standards by implementing Control Measures such as dust palliatives, watering, access control and other measures. If one generator or one pump is brought into the area it is considered a "stationary source" and would have to apply for a Stationary Source Permit under Section 12, may take it out of the 90 Series which works well from that standpoint. Therefore, the project would fall under those rules, the 90 series does not apply and anything that is done under that series such as controls or performance standards, they will be in line but there is more discretion on what DAQEM will put into the permit for different alternatives. However, DAQEM would still require a level of control and certain performance standards. The 90 Series or Stationary Source Permit are both stringent; however, there is a little bit more discretion over controls. Additionally, the 11,000 acres is shared by Clark County and BLM which would be considered two separate entities if the committee were to consider the Stationary Source Permit.

PM-10 and PM 2.5

Mr. Bender asked what the difference is between a PM-10 and PM-2.5. Ms. Gingras clarified that PM-10 is regulated but PM-2.5 is currently not regulated, the implementation rule has not been put into affect but it could be in the future.

5. **Receive a report from Resource Sub-Committee.** Mr. Bender discussed the engineering process of taking a project from conception (i.e. RV, campgrounds, water, power, sewer, septic etc) to construction. The first step will be to determine the uses and identify the project(s). Mr. Bender discussed Type-II Sub Grade before it turns into pavement and how to make road bond using Type-II aggregate. Mr. Corry commented that the Clark County Shooting Park has approximately 40 million tons of excess aggregate that could be used for the Nellis Dunes project, granted they would need to determine the rights and patent before the material can be dedicated. In regards to water sources, Mr. Popp mentioned that if water was brought in, an option would be to use a terminal point with gravity fed tanks between 15,000 and 20,000 gallons to fill up and go to the facility. Mr. Popp discussed the various types of tracks and uses for the area. The sub-committee spoke to a number of local and non-local facilities to determine the average water usage and found that the average daily usage in the summer is 30,000 to 35,000 gallons. The Assistant State Water Engineer for Las Vegas recommended 4 options regarding water sources:
- 1) Seek water from North Las Vegas.
 - 2) Purchase existing water rights.
 - 3) Lease water from existing water right holders.
 - 4) Utilize existing water rights at Sunset Park, which has 118 acre feet of unused water.

Staff has briefed management about Option 4 and will hold discussions about how and where it can be allocated. From the State level the water can be transferred and it is the easiest and quickest method. The water can be used for the Nellis Dunes facility because it fits in the 212 Basin. Water



COMPREHENSIVE PLANNING
NELLIS DUNES ADVISORY COMMITTEE
May 4, 2009

rights cannot be carried over from basin to basin so it is recommended to use the 212 Basin water. There is over 100 acre feet of water available in the County but it will be up to the departments, County Manager and County Commissioners to determine its highest and best use. The State Water Engineer's opinion is to use it since there is some allocation. The sub-committee also spoke with the Southern Nevada Water Authority about 3 different wells sites.

6. **Receive a presentation on Nellis Dunes Boundary Maps.** Mr. Popp discussed the new, amended map that will be sent to Congress that outlines the Economic Support areas on Las Vegas Boulevard. BLM will continue to use and manage all of the dunes which seem to be drifting south. The APZ zone will be in Nellis Air Force Base's control. Mr. Popp discussed jurisdictions of the land east and west outlining what is owned by BLM and where gravel pits are located. The intent is to include the mining areas (gravel pits) in the Recreation Management plan so that once mining has been exhausted, those areas will be available for recreation. The acreage will change from 11,000 acres to 15,000 acres in the new proposal to Congress. Chuck Richter stated that increasing the recreation area to include the area between Las Vegas Boulevard and Interstate 15 may be a problem for DAQEM. Currently this area has gravel pits which are permitted and controlled. By increasing the recreational use by 4,000 acres and moving the uncontrolled recreation closer to the air monitoring stations could be an issue.
7. **Next Meeting.** It is suggested that the next meeting be set for June 1, 2009 at 6:00 p.m.
8. **Public Comments & Discussion.** Mr. Bender asked Mr. Popp if they would organize a meeting between the Resources Sub-Committee and Uses Sub-Committee to discuss uses and phase planning then place the item on the next agenda.
9. **Adjournment.** The meeting adjourned at 7:25 p.m.

For more information about the Nellis Dunes project please visit our website:
www.accessclarkcounty.com/depts/comprehensive_planning/nellis/Pages/nellisdunes.aspx