



Annotated Agenda

Clark County Air Pollution Control Hearing Board

Wednesday, August 14, 2019 – 1:30 P.M.
Clark County Building Department
Presentation Room
4701 West Russell Road
Las Vegas, NV

Hearing Board Members

Daniel Sanders, Chair
Evan S. Wishengrad, Esq., Vice-Chair (Absent)
Elspeth Cordua
Ryan L. Dennett, Esq.
Tom Foster, P.E.
William Kremer
Lauren Rosenblatt

Deputy District Attorney

Jason Patchett

Air Quality Staff

Marci Henson, Director
Shibi Paul, Compliance & Enforcement Manager
Anna Sutowska, Air Quality Supervisor
Sherrie Rogge, Administrative Secretary

- Items on the agenda may be taken out of order.
- The Air Pollution Control Hearing Board may combine two or more agenda items for consideration.
- The Air Pollution Control Hearing Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- To request a copy of the supporting materials for an agenda item, please contact Sherrie Rogge at sherrie.rogge@clarkcountynv.gov or (702) 455-0354. Supporting materials are available for inspection at the Clark County Department of Air Quality office located at 4701 West Russell Road, Las Vegas, NV 89118 or on our website at: http://www.clarkcountynv.gov/AirQuality/compliance/Pages/Compliance_EnforcementNotices.aspx.

1. **CALL TO ORDER** 1:30 p.m.

2. **PUBLIC COMMENT**

NONE

3. **APPROVAL OF MINUTES**

Approval of Minutes of the Regular Meeting on February 13, 2019. (For possible action)

ACTION: APPROVED AS RECOMMENDED

BY: Board Member Kremer

SECOND: Board Member Foster

VOTE: 5-0

**VOTING AYE: Elspeth Cordua, Tom Foster, William Kremer, Lauren Rosenblatt,
Daniel Sanders**

VOTING NAY: None

ABSTAINING: Ryan Dennett

ABSENT: Evan Wishengrad

4. **PUBLIC HEARINGS – REQUEST FOR CERTIFICATE OF EXEMPTION**

1. **EVERGREEN DISTRIBUTORS, INC.** – Request for renewal of Certificate of Exemption for distributing and marketing low or no-pollinating olive trees (*Wilsonii*) for the next three (3) years. The current Certificate expires on August 30, 2019. (For possible action)

ACTION: APPROVED AS RECOMMENDED

BY: Board Member Dennett

SECOND: Board Member Rosenblatt

VOTE: 5-1

**VOTING AYE: Elspeth Cordua, Ryan Dennett, Tom Foster, Lauren Rosenblatt,
Daniel Sanders**

VOTING NAY: William Kremer

ABSTAINING: None

ABSENT: Evan Wishengrad

2. **EVERGREEN DISTRIBUTORS, INC.** – Request for renewal of Certificate of Exemption for distributing and marketing non-pollinating olive shrubs (*Little Ollie*) for the next three (3) years. The current Certificate expires on August 30, 2019. (For possible action)

ACTION: APPROVED AS RECOMMENDED

BY: Board Member Cordua

SECOND: Board Member Dennett

VOTE: 5-1

**VOTING AYE: Elspeth Cordua, Ryan Dennett, Tom Foster, Lauren Rosenblatt,
Daniel Sanders**

VOTING NAY: William Kremer

ABSTAINING: None

ABSENT: Evan Wishengrad

3. **CASA DEL ZORRO NURSERY dba ROADRUNNER TREE FARM** – Request for Certificate of Exemption for distributing and marketing low pollinating olive trees (Wilsonii) for the next three (3) years. (For possible action)

ACTION: APPROVED AS RECOMMENDED
BY: Board Member Rosenblatt
SECOND: Board Member Foster
VOTE: 5-1
VOTING AYE: Elspeth Cordua, Ryan Dennett, Tom Foster, Lauren Rosenblatt, Daniel Sanders
VOTING NAY: William Kremer
ABSTAINING: None
ABSENT: Evan Wishengrad

4. **SUNRISE NURSERY, LLC** – Request for Certificate of Exemption for distributing and marketing low or no-pollinating olive trees (Sunrise Pollenless Olives™) for the next three (3) years. (For possible action)

ACTION: APPROVED AS RECOMMENDED
BY: Board Member Foster
SECOND: Board Member Dennett
VOTE: 5-1
VOTING AYE: Elspeth Cordua, Ryan Dennett, Tom Foster, Lauren Rosenblatt, Daniel Sanders
VOTING NAY: William Kremer
ABSTAINING: None
ABSENT: Evan Wishengrad

5. **REPORT BY DEPARTMENT OF AIR QUALITY STAFF**

- A. General update.
- B. Update on changes to the internal procedure on assessing penalties for alleged violations of the Air Quality Regulations at Stationary Sources.

ACTION: RECEIVED REPORTS

6. **IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY THE BOARD AT FUTURE MEETING**

ACTION: Chair Sanders requested an item be placed on a future agenda to discuss the chain of custody for nurseries and distribution centers that have Certificates of Exemption.

Board Member Rosenblatt requested that, in that same discussion, the Board consider whether local nurseries should be required to provide an audit trail to our inspectors in regards to how many trees are purchased from which supplier. In addition to an audit trail, the nurseries may need to be required to perform and pay for DNA testing on their trees on a periodic basis to ensure their stock is clean.

Ms. Henson recommended adding a discussion item on the agenda for the next meeting for which she would invite UNLV to provide a presentation to the Board about their pollen monitoring program. In addition, staff will give a presentation on our process and procedures for investigating and enforcing the rules associated with Certificates of Exemption.

7. **PUBLIC COMMENT**

NONE

8. **ADJOURNMENT** **3:35 p.m.**

The Presentation Room is accessible to individuals with disabilities. With forty-eight (48) hour advanced request, a sign language interpreter may be made available by contacting (702) 455-0354 or TDD (702) 385-7486 or Nevada Relay toll-free (800) 326-6868, TT/TDD. Assistive listening devices are available upon request.

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- Las Vegas City Hall, 495 S. Main Street, Las Vegas, Nevada
- Henderson City Hall, 240 S. Water Street, Henderson, Nevada
- North Las Vegas City Hall 2250 Las Vegas Blvd. North Las Vegas, Nevada
- Boulder City, City Hall, 401 California Avenue, Boulder City, Nevada
- Mesquite City Hall, 10 E. Mesquite Boulevard, Mesquite, Nevada
- CC Government Center, 500 S. Grand Central Parkway, Las Vegas, Nevada